Ireland. Laws, statutes, etc. Compilations

THE

STATUTES &c.

AT LARGE,

PASSED IN THE

PARLIAMENTS

HELD IN

IRELAND:

FROM

The Third Year of EDWARD the Second, A. D. 1310,

TO THE

Seventh Year of GEORGE the Third, A. D. 1767, inclusive.

WITH

MARGINAL NOTES, and a Complete INDEX.

CONTINUED TO THE

Twenty sixth Year of GEORGE the Third, A. D. 1786, inclusive.

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THE STATUTES AT LARGE, PASSED IN THE PARLIAMENTS HELD IN IRELAND.

VOL. X.

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An act for explaining an act, *entitled*, an act for granting to his Majeſty an additional duty on the ſeveral commodities, goods, and merchandizes therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, except of the manufacture of Great Britain. 705

CHAP.

CHAP. XI.

An act to explain and amend an act made in the eleventh year of the reign of his preſent Majeſty, *entitled*, an act to enable the ſpeaker of the houſe of commons to iſſue his warrants to make out new writs for the choice of members to ſerve in parliament, in the room of ſuch members, as ſhall die during the receſs of parliament, and for enabling the ſpeaker of the houſe of commons to make out new writs for the choice of members to ſerve in parliament in the room of ſuch members, as ſhall during the receſs of parliament become peers of Ireland, and be ſummoned to parliament.
Page 705

CHAP. XII.

An act for altering and amending an act paſſed in the twenty fifth year of the reign of his late Majeſty king George the ſecond, *entitled*, an act for making and repairing the road leading from the town of Athy in the county of Kildare through part of the Queen's county, and through the town of Caſtlecomer in the county of Kilkenny, to the town of Old Leighlin in the county of Carlow, and from thence to and through the town of Leighlinbridge in the ſaid county of Carlow. 707

CHAP. XIII.

An act for altering, amending, and making more effectual an act, *intitled*, an act for repairing the road leading from the green of Kilcullen in the county of Kildare to the town of Athy in the ſame county, and from thence through the town of Stradbally to the town of Timoho in the Queen's county. 708

CHAP. XIV.

An act for repealing an act made in the thirteenth and fourteenth years of the reign of his preſent Majeſty, *entitled*, an act to explain and amend an act made in the third year of the reign of his late Majeſty King George the ſecond, *entitled*, an act for the better keeping churches in repair, and for other purpoſes. Page 726

CHAP. XV.

An act for the improvement of his Majeſty's revenue, and the more effectual preventing of frauds therein; and for continuing and amending ſeveral laws heretofore made, and now in force, relative to his Majeſty ſaid revenue. 728

CHAP. XVI.

An act for better regulating the elections of members to ſerve in parliament. 745

CHAP. XVII.

An act to explain and amend the ſeveral ſtatutes now in force in this kingdom relative to the exchange of glebe lands, and the endowment of churches with new glebes; and to remove ſome doubts relative to ſaid ſtatutes, and for other purpoſes. 752

CHAP. XVIII.

An act for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools. Page 754

CHAP. XIX.

An act for the improvement of the fiſheries of this kingdom. 760

CHAP. XX.

An act to explain and amend an act, *entitled*, An act for paving the ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, within the city and county of the city of Dublin, and other purpoſes relative to the ſaid city of Dublin, and other places therein particularly mentioned; and for extending the proviſions of the ſaid act to the baronies of ſaint Sepulchre's and Donore. 762

CHAP. XXI.

An act to prevent and puniſh tumultuous riſings of perſons within this kingdom, and for other purpoſes therein mentioned. 782

CHAP. XXII.

An act for amending an act paſſed laſt ſeſſion of parliament, *entitled*, an act for the better regulation of the baking trade in the city of Dublin. 794

CHAP. XXIII.

An act for the relief of the out penſioners of the hoſpital of king Charles the ſecond for antient and maimed officers and ſoldiers of the army of Ireland. Page 795

CHAP. XXIV.

An act for the better regulating the pipe water of the city of Dublin. *ibid.*

CHAP. XXV.

An act for amending an act paſſed in the eleventh and twelfth years of his preſent Majeſty's reign, *entitled*, An act for better regulating the foundling hoſpital and work-houſe in the city of Dublin, and increaſing the fund for the ſupport thereof; alſo for making a proviſion for appointing a *Locum Tenens* in caſe of the death or abſence of the lord mayor, or the preſident of the court of conſcience. 802

CHAP. XXVI.

An act for encouraging the cultivation, and for the better preſervation of trees, ſhrubs, plants, and roots. 806

CHAP. XXVII.

An act to amend the ſeveral acts of parliament made in this kingdom for the more effectual preventing of frauds by tenants. 809

CHAP.

CHAP. XXVIII.

An act to explain and amend an act made in the third and fourth years of the reign of his preſent Majeſty, *entitled*, an act for making more convenient the approaches to the city of Dublin by making a new turnpike road on the ſouth ſide, the weſt ſide, and the north ſide of the ſaid city, to commence at the road leading from Dublin to Donnybrook, and to terminate in Cavendiſh ſtreet. Page 812

CHAP. XXIX.

An act for regulating of trials of peers or peereſſes in caſes of capital offences. 816

CHAP. XXX.

An act for continuing an act, *entitled*, an act for the further preventing delays of juſtice by reaſon of privilege of parliament. *ibid.*

CHAP. XXXI.

An act for amending and rendering more effectual an act paſſed in the laſt ſeſſion of parliament, *entitled*, an act for reviving and continuing ſeveral temporary ſtatutes and to prevent the deſtructive practice of trawling for fiſh in the bay of Dublin; and for explaining and amending one other act made in the thirteenth and fourteenth years of the reign of his preſent Majeſty, *entitled*, an act for explaining and amending an act paſſed in the fifth year of

of his preſent Majeſty's reign, *entitled*, An act for erecting and eſtabliſhing infirmaries or hoſpitals in this kingdom. Page 817

CHAP. XXXII.

An act for reviving, amending, and continuing ſeveral temporary ſtatutes, and for other purpoſes therein mentioned. 818

CHAP. XXXIII.

An act for the more effectually preventing the plundering of ſhips or veſſels which may be wrecked or ſtranded on the coaſts of this kingdom. 820

CHAP. XXXIV.

An act to prohibit the burning of lime or lime-ſtones in any lime-kiln which had not been erected before the twenty fourth day of March one thouſand ſeven hundred and ſeventy two. 822

CHAP. XXXV.

An act for amending an act made in the eleventh and twelfth years of his preſent Majeſty's reign, *entitled*, [An act for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them; and for reſtraining ſuch as ſhall be found able to ſupport themſelves by labour and induſtry from begging] ſo far as the ſaid act relates to the county of Limerick,

Limerick, and to the county of the city of Limerick, and for extending the provisions of the said act to the town of Colerain in the county of Londonderry. Page 823

CHAP. XXXVI.

An act for continuing, amending, and making more effectual an act passed in the thirteenth year of the reign of his late Majesty king George the second, *entitled*, An act for repairing the road leading from Timoho in the Queen's county through Ballynakill, Durrow, Beggars-Inn, and from thence through the city of Cashell to the town of Tipperary in the county of Tipperary. 827

CHAP. XXXVII.

An act for continuing an act passed in the seventh year of the reign of his late Majesty king George the second, *entitled*, An act for making more effectual an act passed in the third year of the reign of his present Majesty king George the second *intituled*, an act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the said town of Navan to the town of Nobber in the said county; as also for repairing the road leading from the said town of Navan to the town of Kells in the said county. 833

CHAP. XXXVIII.

An act for confirming and eſtabliſhing an agreement made betwen the ſurviving truſtees named in or elected and appointed purſuant to the laſt will and codicil of George Vaughan eſquire, deceaſed, and the ſurviving deviſees named in the ſaid will, concerning the real and perſonal eſtates whereof the ſaid George Vaughan died ſeized or poſſeſſed, and for making the ſaid agreement effectual, and for incorporating the ſaid truſtees for the better execution of ſuch of the charities appointed by the ſaid will, as can be maintained, and for other purpoſes. Page 834

A COLLECTION

CHAP. XXXVII.

An act for confirming and establishing an agreement made between the surviving trustees named in or elected and appointed pursuant to the last will and codicil of George Vaughan esquire, deceased; and the surviving devisees named in the said will, concerning the real and personal estates wherein the said George Vaughan died seized or possessed, and for vesting the said agreement effectual, and for incorporating the said trustees for the better execution of such of the charities appointed by the said will, as can be maintained, and for other purposes. Page 834

A COLLECTION

A. D. 1770.

A COLLECTION OF STATUTES.

The ninth year of GEORGE III.

CHAP. I.

An act for granting unto his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns except of the manufacture of Great Britain.

WE your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, having a juſt ſenſe of your royal care for the proſperity of all your ſubjects, and well knowing that the ſecurity of this your realm, and the continuance of the many bleſſings we enjoy under your Majeſty's mild and auſpicious reign, depend on the ſupport of your Majeſty's government, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine, until the twenty fifth day of December which ſhall be in the year one thouſand ſeven hundred

Additional duties from 25 Dec. 1769 to 25 Dec. 1771.

A. D. 1770. Chap. 1.

dred and seventy one inclusive, and no longer, there shall be throughout your Majesty's kingdom of Ireland granted, raised, collected, levied, and paid to your Majesty, your heirs and successors, the several rates, additional duties and impositions, herein after mentioned (that is to say) for and upon every thirty two gallons of beer or ale above the price of six shillings the barrel, brewed within this kingdom by any common brewer, or in his vessels, or by any other person or persons, who doth, or do, or shall sell or tap out beer or ale publickly or privately (such gallon to contain two hundred and seventy two cubical inches, and one-fourth part of a cubical inch) the sum of two shillings to be paid by the common brewer, or by such other person or persons respectively, who shall brew, sell, or tap out the same, and so proportionably for a greater or lesser quantity; and for every thirty two gallons of beer or ale of the price of six shillings the barrel, or under, brewed within this kingdom by any common brewer, or in his vessels, or by any other person or persons who doth or do or shall sell or tap out beer or ale publickly or privately, (each gallon to contain two hundred and seventy two cubical inches, and one-fourth part of a cubical inch) the sum of four pence, to be paid by the common brewer, or such other person or persons respectively who shall brew, sell, or tap out the same during the time aforesaid, and so proportionably for a greater or lesser quantity; for every gallon of aquavitæ, strong-waters or spirits, made or distilled within this kingdom for sale, the sum of four pence, to be paid by the first maker or distiller thereof during the time aforesaid; for every pound weight of tobacco that shall be imported during the time aforesaid into this kingdom, the sum of three pence half-penny; for every yard of muslin, that shall be imported into this kingdom during the time aforesaid, the sum of six pence; for every yard of all sort of silks and stuffs made and manufactured in Persia, China, or the East-Indies, that shall be imported into this kingdom during the time aforesaid, the sum of one shilling and six pence; for every tun of wine, that shall be imported into this kingdom during the time aforesaid, the sum of four pounds, and so proportionably for a greater or lesser quantity; for every gallon of brandy, strong-waters, and spirits perfectly made, and of spirits made and distilled of wine not above proof, that shall be imported into this kingdom during the time aforesaid, the sum of eight pence, and so proportionably for a greater or lesser quantity; and for every gallon of foreign spirits (above the quality of single spirits) which shall be imported into this kingdom during the time aforesaid, an additional duty shall be paid for such spirits, and shall be charged thereon in proportion to the duties payable for single spirits of the same denomination, according to the comparative degree of strength which such spirits so to be imported shall bear to single spirits of the same denomination; for and upon every pound weight of coffee, chocolate, and cocoa nuts, that shall be imported into this kingdom during the time aforesaid, the sum of three pence; an additional duty of twenty shillings sterling on every hundred weight of molasses; an additional duty of twenty shillings sterling on every hundred weight of treacle; an additional duty of six pence per yard for and upon all foreign stuffs, called romalls, and all manufactures made of cotton, or of cotton and linen mixed, whether plain, painted or stained, which shall be imported into this kingdom during the time aforesaid, from any parts beyond the seas (except the manufacture of Great Britain;) an additional duty of six pence per hide, for and upon every raw and untanned hide which shall be exported out of this kingdom to parts beyond the seas (except to Great Britain) during the time aforesaid; an additional duty of one shilling for every rheam of writing or printing paper which shall be imported into this kingdom during the time aforesaid, (except of the manufacture of Great Britain.)

on beer or ale above 6s. a barrel 2s. every 32 gallons.

272 inches and 1-4th *per* gallon.

of 6s. a barrel or under 4d.

Aquavitæ spirits, *&c.* 4d. by first distiller.

Tobacco 3d. h. *per* pound.

Muslin 6d. *per* yard.

Silks and stuffs of *Persia*, &c. 1s. and 6d.

Wine 4l. *per* tun.

Brandy, strong waters, spirits perfect, and of wine, not above proof, imported, 8d. *per* gallon.

foreign spirits above single in proportion to duties for single of same denomination by comparison of strength.

Coffee, chocolate, cocoa 3d. *per* pound.

Molasses, treacle, 20s. *per* hundred.

Romalls, cottons, except *British*, 6d. *per* yard.

raw hides, except to Great *Britain* 6d.

writing paper, except *British*, 1s. *per* rheam.

II. And be it further enacted by the authority aforesaid, that all and singular the said duties and impositions hereby granted, shall be raised, levied, collected, and paid unto your Majesty, your heirs and successors, during the time aforesaid, over and above all other duties payable for the same, by virtue of an act made in this kingdom in the fourteenth and fifteenth years of the reign of king Charles the second, intituled,

above all duties by 14 and 15 *C.* 2. *c.* 8, and 9.

An

An act for the ſettling the exciſe or new impoſt, upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted; or by virtue of one other act made in the fourteenth and fifteenth years of the reign of the ſaid king Charles the ſecond, intituled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to the book of rates thereunto annexed.*

Drawback for wines, ſtrong waters, ſpirits, on certificate, in one month after demand.
12 months to merchants ſtrangers, ſubjects 24.

III. Provided always, and be it further enacted by the authority aforeſaid, that if the ſaid wines, ſtrong waters, ſpirits perfectly made, and ſpirits made and diſtilled of wine and brandy, or ſpirits above the quality of ſingle ſpirits, upon which the ſaid additional duties are charged, ſhall, after payment thereof, or ſecurity given for the ſame, be again exported by any merchant or merchants, that is or are a ſubject or ſubjects of this realm, or any other of your Majeſty's dominions, within twenty four calendar months, or by merchant ſtrangers within twelve calendar months after the importation thereof, and due proof firſt made, by certificate from the proper officer, of the due entry of ſuch wines, ſtrong waters, ſpirits perfectly made, and ſpirits made and diſtilled of wine, brandy, or ſpirits above the quality of ſingle ſpirits, and of the payment of the ſaid additional duties hereby granted and charged thereon, or ſecurity being given for the ſame, and that all other requiſites have been performed, which are by law required to be performed in caſes where the duties of exciſe are to be repaid by virtue of the before mentioned act, intituled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; that then the ſaid additional duties ſhall, without any delay or reward, if the ſame ſhall have been paid, be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame, within one month after demand thereof, or if the ſame ſhall not have been paid, the ſecurity for the ſaid additional duties by this act charged ſhall be vacated or diſcharged, as to ſo much thereof as ſhall be ſo exported; any thing herein contained to the contrary notwithſtanding.

Duties on coffee, chocolate, and cocoa to linen manufacture.

on hides to raiſing flax ſeed.

IV. And be it further enacted by the authority aforeſaid, that the additional rates and duties hereby granted and impoſed on coffee, chocolate, and cocoa nuts, and all monies ariſing thereby, ſhall be paid to the truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, to be by them applied to encourage and ſupport the ſaid manufactures and the trade thereof in this kingdom; and that the ſaid additional duties on raw and untanned hides, and all money ariſing thereby, ſhall be paid to the ſaid truſtees, to be by them applied towards encouraging the raiſing of flax-ſeed in this kingdom.

All ſaid duties levied as by 14 and 15 *C.* 2. *c.* 8. or the exciſe laws with like appeal.

V. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional duties hereby granted ſhall be raiſed, anſwered, collected and paid unto your Majeſty, your heirs and ſucceſſors, during the term aforeſaid, at the ſame time, in like manner, and by ſuch ways, means and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers as are appointed, directed and expreſſed, in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of king Charles the ſecond, intituled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes, as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act; with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe, is provided.

VI. And

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Fees accounted for as further aid.

VI. And be it further enacted by the authority aforeſaid, that the ſix pence per pound, and all other fees which ſhall or may be payable to the vice treaſurer or vice treaſurers, paymaſter or receiver general of this kingdom, upon iſſuing or payment of any ſum or ſums of money which ſhall or may ariſe out of the aids granted this ſeſſion of parliament, or upon iſſuing or payment of any ſum or ſums of money which ſhall or may be borrowed purſuant to any act of parliament, or vote of credit this ſeſſion of parliament, ſhall be received by the ſaid vice treaſurer or vice treaſurers, receiver or paymaſter general, for the uſe of your Majeſty, your heirs and ſucceſſors, during the term aforeſaid, and ſhall be duly accounted for by him or them to your Majeſty, your heirs and ſucceſſors, as a further and additional aid hereby given and granted.

Sums payable out of ſaid duties and aids.

VII. And be it further enacted by the authority aforeſaid, that the ſeveral ſums hereinafter mentioned be paid out of the aforeſaid additional duties and aids granted to your Majeſty by this preſent act, to the perſons, and for the purpoſes hereinafter mentioned (that is to ſay) a ſum not exceeding twelve thouſand eight hundred and thirty nine pounds four ſhillings, to your Majeſty, to ſupport a militia of five thouſand ſix hundred and ſixty one men, commiſſion and non-commiſſioned officers included, for two years, from the twenty fourth day of June one thouſand ſeven hundred and ſeventy to the twenty fourth day of June one thouſand ſeven hundred and ſeventy two; a ſum not exceeding the ſum of ſeven thouſand nine hundred and ninety two pounds to your Majeſty, for cloathing five thouſand three hundred and twenty eight men of ſaid militia, non-commiſſion officers included; the ſum of two thouſand pounds *per annum* for two years from the twenty fifth day of December one thouſand ſeven hundred and ſixty nine to the twenty fifth day of December one thouſand ſeven hundred and ſeventy one incluſive, to the truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, for encouraging and raiſing ſufficient quantities of hemp and flax in this kingdom; and alſo the further ſum of two thouſand pounds *per annum* for two years, from the twenty fifth day of December one thouſand ſeven hundred and ſixty nine, to the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one incluſive, to the ſaid truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, for the encouragement of the ſaid hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, freed and diſcharged from the payment of ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general of this kingdom, clerk of the pells, or any other officer or officers of this kingdom; the ſum of four thouſand pounds to the right honourable the ſpeaker of the houſe of commons to enable him to maintain the ſtate and dignity of his office; the ſum of five hundred pounds to Agmondiſham Veſey, eſquire, accomptant general, as a reward for his expence and trouble in preparing and ſtating the public accounts of the nation, laid before the houſe of commons this ſeſſion of parliament; the ſum of three hundred pounds to William Brabazon Ponſonby, eſquire, as a reward for his expence and trouble in preparing and making out the account of the imports and exports for two years, ended the twenty fifth day of March one thouſand ſeven hundred and ſixty nine, purſuant to an order of the houſe of commons; the ſum of five hundred pounds to Edward Sterling and Henry Alcock, eſquires, clerks of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament; the ſum of two hundred pounds to Thomas Kirby, clerk-aſſiſtant, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of eight hundred pounds to Dixie Coddington, eſquire, ſerjeant at arms, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of three hundred and fifty pounds to Benjamin Higgins and James Brown, the clerks a tending the committee of accounts, and other committees of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided

vided between them; the ſum of one hundred and twelve pounds to Abraham Bradley, for printing the publick accounts laid before the houſe of commons this ſeſſion of parliament; the ſum of fifty pounds to Hulton Bradley, as a reward for his trouble and attendance in delivering the votes to the members of the houſe of commons this ſeſſion of parliament; the ſum of eighty pounds to Thomas Gilmore and Arthur Harper, door-keepers of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of two hundred pounds to the right honourable the ſpeaker of the houſe of commons, to be by him divided amongſt the back-door-keepers and meſſengers attending the houſe of commons, being thirteen in number, in ſuch manner as he ſhall direct; the ſum of four hundred pounds to James Smyth, eſquire, paymaſter of the corn premiums, as a recompence for his extraordinary attendance, care, and expence, in that office, during the two years, ending Michaelmas, one thouſand ſeven hundred and ſixty nine; the ſum of two hundred pounds to William Horton, eſquire, examinator of the corn premiums, on account of the great increaſe of his trouble in examining and keeping accounts of the premiums paid for inland carriage of corn, meal, and flour, and of the premiums paid for corn carried coaſtways, in the two years, ended at lady day one thouſand ſeven hundred and ſixty nine; the ſum of two hundred pounds to Benjamin Higgins, as a recompence for his having written with his own hand the fair journal of the houſe of commons, for nine ſeſſions, for which he never received any reward; the ſum of twelve thouſand pounds to the incorporated ſociety for promoting Engliſh proteſtant ſchools in this kingdom, to be by them accounted for to parliament; the ſum of twelve thouſand nine hundred and forty five pounds, fourteen ſhillings and nine pence three farthings, to the governors of the workhouſe, to be by them applied to diſcharge the debts contracted on account of that charity; the ſum of three thouſand two hundred and fifty one pounds thirteen ſhillings and nine pence, to the governors of the Hibernian ſociety, for the purpoſe of paying off a debt incurred by them in building the hoſpital for ſoldiers children, and for the building a chapel, and erecting ſheds and other buildings for the employment of the children of the ſaid hoſpital; the ſum of three thouſand pounds to William Bury, William Lyndon, Luke Mercer, George Simpſon, Theophilus Thompſon, and David Burleigh, eſquires, and captain William Barton, or any three of them, for the uſe of the marine nurſery, for the purpoſe of building a houſe fit for the reception of two hundred children, on their giving ſecurity to compleat the ſame, and to be accounted for to parliament; the ſum of twenty eight thouſand eight hundred pounds to your Majeſty, to be applied to ſuch public works, and other purpoſes referred to the committee of ſupply, and not already provided for in the ſaid committee, and to be diſpoſed of in ſuch manner and proportion as ſhall be directed by parliament; the ſum of three hundred and ninety eight pounds two ſhillings and ſix pence to the reverend James Fetherſtone, as a recompence for his trouble and expence in obeying the orders, and executing the commiſſions of ſeveral committees of the houſe of commons, appointed to enquire into the ſtate of the great navigation to the Tyrone collieries; the ſum of one thouſand five hundred and twenty five pounds thirteen ſhillings and four pence to Boulter Grierſon, his Majeſty's printer, being the coſt of printing and binding eighty ſets of the ſtatutes at large, in nine volumes, delivered by him to the clerk of this houſe this ſeſſion purſuant to an order of the houſe of commons; the ſum of two thouſand ſeven hundred and twelve pounds thirteen ſhillings and four pence to Abraham Bradley, printer to this houſe, being the coſt of printing and binding eighty ſets of the journals of the houſe of commons, in thirteen volumes, with the appendix and index, delivered by him to the clerk of the houſe of commons, this ſeſſion, purſuant to an order of the houſe of commons: all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers,

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Fees accounted for as further aid.

VI. And be it further enacted by the authority aforeſaid, that the ſix pence per pound, and all other fees which ſhall or may be payable to the vice treaſurer or vice treaſurers, paymaſter or receiver general of this kingdom, upon iſſuing or payment of any ſum or ſums of money which ſhall or may ariſe out of the aids granted this ſeſſion of parliament, or upon iſſuing or payment of any ſum or ſums of money which ſhall or may be borrowed purſuant to any act of parliament, or vote of credit this ſeſſion of parliament, ſhall be received by the ſaid vice treaſurer or vice treaſurers, receiver or paymaſter general, for the uſe of your Majeſty, your heirs and ſucceſſors, during the term aforeſaid, and ſhall be duly accounted for by him or them to your Majeſty, your heirs and ſucceſſors, as a further and additional aid hereby given and granted.

Sums payable out of ſaid duties and aids.

VII. And be it further enacted by the authority aforeſaid, that the ſeveral ſums hereinafter mentioned be paid out of the aforeſaid additional duties and aids granted to your Majeſty by this preſent act, to the perſons, and for the purpoſes hereinafter mentioned (that is to ſay) a ſum not exceeding twelve thouſand eight hundred and thirty nine pounds four ſhillings, to your Majeſty, to ſupport a militia of five thouſand ſix hundred and ſixty one men, commiſſion and non-commiſſioned officers included, for two years, from the twenty fourth day of June one thouſand ſeven hundred and ſeventy to the twenty fourth day of June one thouſand ſeven hundred and ſeventy two; a ſum not exceeding the ſum of ſeven thouſand nine hundred and ninety two pounds to your Majeſty, for cloathing five thouſand three hundred and twenty eight men of ſaid militia, non-commiſſion officers included; the ſum of two thouſand pounds *per annum* for two years from the twenty fifth day of December one thouſand ſeven hundred and ſixty nine to the twenty fifth day of December one thouſand ſeven hundred and ſeventy one incluſive, to the truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, for encouraging and raiſing ſufficient quantities of hemp and flax in this kingdom; and alſo the further ſum of two thouſand pounds *per annum* for two years, from the twenty fifth day of December one thouſand ſeven hundred and ſixty nine, to the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one incluſive, to the ſaid truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, for the encouragement of the ſaid hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, freed and diſcharged from the payment of ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general of this kingdom, clerk of the pells, or any other officer or officers of this kingdom; the ſum of four thouſand pounds to the right honourable the ſpeaker of the houſe of commons to enable him to maintain the ſtate and dignity of his office; the ſum of five hundred pounds to Agmondiſham Veſey, eſquire, accomptant general, as a reward for his expence and trouble in preparing and ſtating the public accounts of the nation, laid before the houſe of commons this ſeſſion of parliament; the ſum of three hundred pounds to William Brabazon Ponſonby, eſquire, as a reward for his expence and trouble in preparing and making out the account of the imports and exports for two years, ended the twenty fifth day of March one thouſand ſeven hundred and ſixty nine, purſuant to an order of the houſe of commons; the ſum of five hundred pounds to Edward Sterling and Henry Alcock, eſquires, clerks of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament; the ſum of two hundred pounds to Thomas Kirby, clerk-aſſiſtant, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of eight hundred pounds to Dixie Coddington, eſquire, ſerjeant at arms, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of three hundred and fifty pounds to Benjamin Higgins and James Brown, the clerks a tending the committee of accounts, and other committees of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided

vided between them; the ſum of one hundred and twelve pounds to Abraham Bradley, for printing the publick accounts laid before the houſe of commons this ſeſſion of parliament; the ſum of fifty pounds to Hulton Bradley, as a reward for his trouble and attendance in delivering the votes to the members of the houſe of commons this ſeſſion of parliament; the ſum of eighty pounds to Thomas Gilmore and Arthur Harper, door-keepers of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of two hundred pounds to the right honourable the ſpeaker of the houſe of commons, to be by him divided amongſt the back-door-keepers and meſſengers attending the houſe of commons, being thirteen in number, in ſuch manner as he ſhall direct; the ſum of four hundred pounds to James Smyth, eſquire, paymaſter of the corn premiums, as a recompence for his extraordinary attendance, care, and expence, in that office, during the two years, ending Michaelmas, one thouſand ſeven hundred and ſixty nine; the ſum of two hundred pounds to William Horton, eſquire, examinator of the corn premiums, on account of the great increaſe of his trouble in examining and keeping accounts of the premiums paid for inland carriage of corn, meal, and flour, and of the premiums paid for corn carried coaſtways, in the two years, ended at lady day one thouſand ſeven hundred and ſixty nine; the ſum of two hundred pounds to Benjamin Higgins, as a recompence for his having written with his own hand the fair journal of the houſe of commons, for nine ſeſſions, for which he never received any reward; the ſum of twelve thouſand pounds to the incorporated ſociety for promoting Engliſh proteſtant ſchools in this kingdom, to be by them accounted for to parliament; the ſum of twelve thouſand nine hundred and forty five pounds fourteen ſhillings and nine pence three farthings, to the governors of the workhouſe, to be by them applied to diſcharge the debts contracted on account of that charity; the ſum of three thouſand two hundred and fifty one pounds thirteen ſhillings and nine pence, to the governors of the Hibernian ſociety, for the purpoſe of paying off a debt incurred by them in building the hoſpital for ſoldiers children, and for the building a chapel, and erecting ſheds and other buildings for the employment of the children of the ſaid hoſpital; the ſum of three thouſand pounds to William Bury, William Lyndon, Luke Mercer, George Simpſon, Theophilus Thompſon, and David Burleigh, eſquires, and captain William Barton, or any three of them, for the uſe of the marine nurſery, for the purpoſe of building a houſe fit for the reception of two hundred children, on their giving ſecurity to compleat the ſame, and to be accounted for to parliament; the ſum of twenty eight thouſand eight hundred pounds to your Majeſty, to be applied to ſuch public works, and other purpoſes referred to the committee of ſupply, and not already provided for in the ſaid committee, and to be diſpoſed of in ſuch manner and proportion as ſhall be directed by parliament; the ſum of three hundred and ninety eight pounds two ſhillings and ſix pence to the reverend James Fetherſtone, as a recompence for his trouble and expence in obeying the orders, and executing the commiſſions of ſeveral committees of the houſe of commons, appointed to enquire into the ſtate of the great navigation to the Tyrone collieries; the ſum of one thouſand five hundred and twenty five pounds thirteen ſhillings and four pence to Boulter Grierſon, his Majeſty's printer, being the coſt of printing and binding eighty ſets of the ſtatutes at large, in nine volumes, delivered by him to the clerk of this houſe this ſeſſion purſuant to an order of the houſe of commons; the ſum of two thouſand ſeven hundred and twelve pounds thirteen ſhillings and four pence to Abraham Bradley, printer to this houſe, being the coſt of printing and binding eighty ſets of the journals of the houſe of commons, in thirteen volumes, with the appendix and index, delivered by him to the clerk of the houſe of commons, this ſeſſion, purſuant to an order of the houſe of commons: all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers,

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receiver general or receivers general of this kingdom, without any further or other warrant to be ſued for, had or obtained in that behalf.

Sums appropriated to hemp and flax manufacture applied to no other purpoſe, ſeparate account thereof.

VIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, the ſeveral ſums granted by this act, or any other act of parliament now in force in this kingdom, and appropriated to encourage the raiſing ſufficient quantities of flax and hemp in this kingdom, and for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and that a ſeparate and diſtinct account ſhall be kept by the proper officer of the application thereof, and to be laid before parliament.

Lace, cambrick, lawn, imported, except *Britiſh*, forfeited, with the ſhip, &c.

IX. And be it further enacted by the authority aforeſaid, that no gold or ſilver lace, cambricks or lawns, whatſoever, (except of the manufacture of Great Britain) ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine be imported into this kingdom in any ſhip or veſſel whatſoever, under the penalty of the forfeiture of all ſuch lace, cambricks, and lawns, and treble the value thereof, and the ſhip or veſſel in which the ſame ſhall be imported, with all her guns, tackle, furniture, ammunition, and apparel; one moiety of which forfeitures ſhall be and remain to your Majeſty, your heirs and ſucceſſors, and the other moiety to him or them who ſhall ſeize and ſue for the ſame by action, bill, plaint, or information, in the court of exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea ſhall be allowed.

to king and proſecutor.

CHAP. II.

An act for granting to his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed.

Recital 8 G. 3. c. 2.

WHEREAS by an act of parliament made and paſſed in the eighth year of your Majeſty's reign, intituled, *An act for granting to his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed*, ſeveral aids and additional duties were granted to your Majeſty, your heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſixty ſeven, until the twenty fifth day of December one thouſand ſeven hundred and ſixty nine incluſive, to pay an intereſt for the ſum of ſix hundred and ſeventy five thouſand pounds, in the ſaid recited act particularly mentioned, (or ſuch part thereof as remained unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty ſeven) to the perſon or perſons who paid or lent the ſaid ſum of ſix hundred and ſeventy five thouſand pounds, his, her, or their executors, adminiſtrators

Duties thereby to pay 4 l. *per cent.* for 675000 l.

miniſtrators or aſſigns, at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty ſeven, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas it was enacted in and by the ſaid recited act, that for all and every ſuch further ſum and ſums of money, not exceeding in the whole the ſum of one hundred thouſand pounds, as ſhould be actually paid by any perſon or perſons into your Majeſty's treaſury, at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to ſupply ſuch deficiencies as ſhould or might ariſe in the aids granted laſt ſeſſion of parliament for the ſupport of your Majeſty's government, and for payment of the ſeveral ſums granted in ſaid ſeſſion for carrying on public works in this kingdom, there ſhould be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments, to the perſon or perſons paying or lending the ſame, his, her or their executors adminiſtrators or aſſigns, ſuch intereſt, not exceeding the rate of four pounds *per centum per annum*, as ſhould be agreed by his excellency the lord lieutenant, or other chief governor or governors of Ireland for the time being, to be paid for the ſame without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as theyſhould be reſpectively paid their principal money at one entire payment: and whereas in purſuance of the ſaid recited act the ſum of thirty thouſand pounds was paid into your Majeſty's treaſury on the firſt day of May in the year one thouſand ſeven hundred and ſixty nine, and the ſeveral perſons, who lent the ſame, agreed at the time of their reſpective payments, that the ſums by them reſpectively paid ſhould carry an intereſt at the rate of three pounds ten ſhillings *per centum per annum*, from the ſaid firſt day of May one thouſand ſeven hundred and ſixty nine, until paid: and whereas the ſeveral aids and duties, granted to your Majeſty in and by the ſaid recited act, have not proved ſufficient to pay and diſcharge the ſaid ſum of ſix hundred and ſeventy five thouſand pounds, and thirty thouſand pounds, and the intereſt of the ſame reſpectively, at the rate aforeſaid, but the greateſt part of the ſaid ſeveral principal ſums will remain unpaid on the twenty fifth day of December

and for further loan not exceeding 100000l.

300000l. paid in purſuance 1 May 1769,

at 3l. 10s. *per cent.*

the duties inſufficient.

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December one thouſand ſeven hundred and ſixty nine: and whereas the ſum of ſix hundred and twenty five thouſand pounds, part of the ſaid principal ſum of ſix hundred and ſeventy five thouſand pounds, and alſo the ſaid principal ſum of thirty thouſand pounds ſtill remain due and unpaid: we therefore your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for the ſaid ſum of ſix hundred and twenty five thouſand pounds, or ſuch part thereof as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſixty nine, there ſhall be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, to the perſon or perſons who has or have paid or lent the ſaid ſum of ſix hundred and twenty five thouſand pounds, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment; and that for the ſaid ſum of thirty thouſand pounds, or ſuch part thereof as ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, there ſhall be paid at the receipt of your Majeſty's exchequer, by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, to the perſon or perſons who has or have paid or lent the ſaid ſum of thirty thouſand pounds, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of three pounds ten ſhillings *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

625000l. and ſaid 30000l. due.

4l. *per cent.* payable for 625000l.

3l. 10s. for 30000l.

A. D. 1770. Chap. II.

II. And whereas it is neceſſary, that twelve thouſand effective men ſhould be maintained within this kingdom for its defence, which cannot at this time be effected, conſiſtently with the general public ſervice, unleſs an addition be made of three thouſand two hundred and thirty five men to the forces on the eſtabliſhment of this kingdom, ſo as to augment the ſame to fifteen thouſand two hundred and thirty five men in the whole, commiſſion and non-commiſſion officers included: and whereas it is expedient, that the ſaid addition of three thouſand two hundred and thirty five men ſhould be made as ſoon as conveniently may be to the eſtabliſhment of this kingdom, and that ſuch augmentation ſhould be made by the addition of a quarter-maſter to each regiment of infantry, which is to remain on the ſaid eſtabliſhment, and by the addition of additional non-commiſſion officers and private men to each company of every ſuch regiment of infantry, and by the addition of ſix mates to the ſaid eſtabliſhment: therefore for the purpoſes aforeſaid, and the better to enable your Majeſty at all times to keep within this kingdom not leſs than twelve thouſand effective men for its defence, except in caſes of invaſion or rebellion in Great Britain, agreeably to your Majeſty's gracious intention and determined reſolution ſignified to us in your Majeſty's name, and by your Majeſty's expreſs commands by his excellency the lord lieutenant in his meſſage to this houſe of the ſixteenth day of November one thouſand ſeven hundred and ſixty nine: and be it enacted by the authority aforeſaid, that an addition of three thouſand two hundred and thirty five men, conſiſting of a quarter-maſter to each regiment of infantry, which is to remain on the eſtabliſhment of this kingdom as aforeſaid, and of additional non-commiſſion officers and private men to each company of every ſuch regiment of infantry, and of ſix additional mates as aforeſaid, be made as ſoon as the ſame can conveniently be done to the ſaid eſtabliſhment ſo as to augment the ſame to fifteen thouſand two hundred and thirty five men in the whole, commiſſion and non-commiſſion officers included; and that the ſaid three thouſand two hundred and thirty five men ſhall be paid and continued on the ſaid eſtabliſhment for two years, commencing the firſt of January one thouſand ſeven hundred and ſeventy, and ending the thirty firſt of December one thouſand ſeven hundred and ſeventy one.

12000 effective men neceſſary to the kingdom's defence,

and an augmentation to the eſtabliſhed forces,

except invaſion, or rebellion in *Great Britain*.

the King's intention by meſſage 16th Nov. 1769.

addition of 3235 men,

ſo as to augment to 15235, officers included.

continued two years from 1 Jan. 1770 to 31 Dec. 1771.

and 2 years by 11 & 12 *G.* 3 *c.* 2. *ſ.* 2. *as to* 3046.

13 & 14 *G.* 3. *c.* 1. *ſ.* 1.

15 & 16 *G.* 3. *c.* 8.

17 & 18 *G.* 3. *c.* 1.

III. And in order the more effectually to enable your Majeſty to raiſe, arm, and cloath the ſaid three thouſand two hundred and thirty five men, and to pay and continue the ſame on the ſaid

A. D. 1770. Chap. II.

19 & 20 G. 3. c. 1. 6 *months and by* c. 7. 18 *months to* 31 *Dec.* 1781.

If aids insufficient, loan not exceeding 100000l. at 4l. *per cent.*

ſaid eſtabliſhment for the ſaid two years, as aforeſaid: be it further enacted by the authority aforeſaid, in caſe the aids granted this ſeſſion of parliament ſhall prove inſufficient to anſwer the purpoſes aforeſaid, and to defray the other neceſſary expences of government, that then and in ſuch caſe it ſhall and may be lawful for the lord lieutenant, or other chief governor or governors of this kingdom, for the time being, from time to time as there ſhall be occaſion, to borrow or take up by way of loan from ſuch perſon or perſons, as ſhall be willing to advance the ſame, at an intereſt not exceeding four pounds *per centum per annum*, ſuch ſum or ſums of money, not exceeding in the whole the ſum of one hundred thouſand pounds, as ſhall be neceſſary for the purpoſes aforeſaid.

Intereſt not exceeding 4l. *per cent.* payable half yearly, without any deduction.

IV. And be it further enacted by the authority aforeſaid, that for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſaid ſum of one hundred thouſand pounds, as ſhall be actually paid by any perſon or perſons into your Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to ſupply ſuch deficiencies as ſhall or may ariſe in the aids granted this ſeſſion of parliament for the purpoſes aforeſaid, there ſhall be paid at the receipt of your Majeſty's exchequer, by the hands of the vice treaſurer or paymaſter-general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments, to the perſon or perſons ſo paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, ſuch intereſt, not exceeding the rate of four pounds *per centum per annum*, as ſhall be agreed by his excellency the lord lieutenant, or other chief governor or governors of Ireland for the time being, to be paid for the ſame without any fee or charge, and free from all deductions, defalcations, and abatements, whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

Debentures given at treaſury, numbered,

V. And be it further enacted by the authority aforeſaid, that like debentures or receipts bearing ſuch intereſt, not exceeding the rate of four pounds *per centum per annum*, as ſhall be ſo agreed upon, ſhall be given by the officers of your Majeſty's treaſury for all and every ſum and ſums of money to be paid into the receipt of your Majeſty's exchequer, purſuant to this act, on account of the ſaid intended loan, not exceeding the ſum of one hundred thouſand pounds, and ſhall be inſerted in an arithmetical progreſſion, where the common

common exceſs or difference is to be one, beginning with the number next after the laſt number of the receipts or debentures for the ſum of ſix hundred and twenty five thouſand pounds now ſtanding out, at the rate of four pounds *per centum per annum*, and of the ſaid ſum of thirty thouſand pounds now ſtanding out at the rate of three pounds ten ſhillings *per centum per annum*, until the whole ſhall be numbered in manner aforeſaid.

Transferable by indorſement.

VI. And be it further enacted by the authority aforeſaid, that all and every perſon or perſons, to whom debentures or receipts have been given for any part of the ſaid ſums of ſix hundred and twenty five thouſand pounds, and thirty thouſand pounds, now carrying the ſeveral rates of intereſt before mentioned, and all and every perſon or perſons, to whom debentures or receipts ſhall be given purſuant to this act, his, her, or their executors, adminiſtrators, or aſſigns, may, by indorſements on ſuch debentures or receipts transfer the right and benefit of the ſum due on ſuch debentures or receipts, which indorſements (upon notice to the vice treaſurer or vice treaſurers, his or their deputy or deputies, and an entry or memorial thereof made in the ſaid vice treaſurer's office, which the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall, upon requeſt, without charge, fee, or reward, make accordingly, and ſhall on requeſt permit the ſame to be viewed at the uſual office hours, without fee or reward) ſhall intitle the indorſee or aſſignee, his or her executors, adminiſtrators, and aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid debentures or receipts may in like manner be aſſigned or transferred by ſuch aſſignee, his or her executors, adminiſtrators, or aſſigns, and ſo *toties quoties*, and that after ſuch aſſignment it ſhall not be in the power of the perſon, or perſons who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or to diſcharge or receive the ſum thereby transferred or aſſigned, or any part thereof.

on notice and memorial.

given and viewed at office hours without fee.

ſo *toties quoties*.

not after in aſſignor's power.

VII. And to the end and intent that the intereſt of the ſaid reſpective ſums of ſix hundred and twenty five thouſand pounds, and thirty thouſand pounds, or ſo much thereof as ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, and alſo the intereſt of ſuch ſum or ſums, not exceeding in the whole the ſum of one hundred thouſand pounds, as ſhall be raiſed in purſuance of this act, may be duly and regularly paid half yearly, according to the rates of intereſt herein before mentioned, and according to the true

For payment of intereſt of ſaid 625000l. and 300000l. and loan not exceeding 100000l. additional duties granted to 25 Dec. 1771.

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true intent and meaning of this act, be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December, which ſhall be in this preſent year one thouſand ſeven hundred and ſixty nine, there ſhall be throughout your Majeſty's kingdom of Ireland raiſed, levied, granted, collected and paid to your Majeſty, your heirs and ſucceſſors, until the twenty fifth day of December, one thouſand ſeven hundred and ſeventy one incluſive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of his Majeſty King Charles the ſecond, intituled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, intituled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money unto his Royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed*, and over and above the ſeveral additional duties granted to your Majeſty this preſent ſeſſion of parliament, by an act, intituled, *An act for granting to his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns* (*except of the manufacture of Great Britain*;) the ſeveral duties, rates, impoſitions, and taxes herein after mentioned, that is to ſay, an additional duty of ſix pounds *per* tun for and upon all ſorts of wine of the growth of France or Spain, and three pounds *per* tun, for and upon all ſorts of wine of the growth of Portugal, and of five pounds *per* tun for and upon all other wines that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſixty nine; and alſo an additional duty of four pounds ſterling *per* pound weight for and upon all velvets and manufactures, made of or mixed with ſilk (except thoſe of Great Britain, China, Perſia, and the Eaſt Indies) that ſhall be imported into this kingdom from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine; an additional duty of one halfpenny *per* pound weight for and upon all hops that ſhall be imported into this kingdom, from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine; an additional duty of

14 and 15 *C.* 2. *c.* 8. and 9.

9 *G.* 3. *c.* 1.

on wines of *France* or *Spain* 6*l.* *per* tun.

Portugal 3*l.*

other wines 5*l.*

velvets and ſilks ſave from *Britain* or the Eaſt, 4*l.* *per* lb.

hops ½*d per* lb.

five pounds *per centum* for and upon all china, earthen, japanned, or lacquered ware, as valued or rated for cuſtom by the book of rates, that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine; an additional duty of thirty ſhillings *per* tun for and upon all ſorts of vinegar that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine; a further additional duty of two pence *per* gallon for and upon every gallon of aquavitæ, ſtrong waters, and ſpirits, that ſhall be made or diſtilled within this kingdom for ſale, to be paid by the firſt maker or diſtiller thereof, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine; a further additional duty of two pence *per* pound for and upon all coffee that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine; a duty of ten ſhillings *per annum*, to be paid by all and any perſon or perſons that do or ſhall ſell or tap out by retail any cyder, at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, and the twenty fifth day of December one thouſand ſeven hundred and ſeventy one, incluſive; a duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, to be paid by the perſon who ſhall ſell or tap out the ſame by retail, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine; an additional duty of twenty ſhillings to be paid by every perſon for every coach, chariot, berlin, calaſh, or chaiſe, with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except hackney or ſtage coaches, and coaches kept by coachmakers for ſale) at any time betwen the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, and the twenty fifth day of December one thouſand ſeven hundred and ſeventy, incluſive; an additional duty of twenty ſhillings to be paid by every perſon for every coach, chariot, berlin, calaſh, or chaiſe, with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except as aforeſaid) at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy, and the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, incluſive; an additional duty of five ſhillings *per* tun, for and upon every tun of ſoap-boilers waſte, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to any parts beyond the ſeas, from and after the twenty fifth day of

china, earthen, japan, lacquered ware, 5l. *per cent.* as rated.

vinegar 30s. *per* tun.

aquavitæ ſtrong waters, ſpirits, diſtilled for ſale, 2d. *per* gallon.

coffee 2d. *per* lb.

cyder retailers 10s. *per annum*, and 1d. *per* gallon.

4 wheeled carriages, ſave hackneys, &c. 20s. yearly.

ſoapwaſte 5s. *per* tun

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December one thouſand ſeven hundred and ſixty nine; an additional duty of three pounds *per* tun for and upon every tun of linen rags, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to parts beyond the ſeas, from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine.

linen rags 3l.

To prevent running tea.

VIII. And whereas great frauds and abuſes have been committed by the clandeſtine importation of tea from parts beyond the ſeas without paying any duties for ſuch tea; for remedy whereof, and for the greater diſcouragement of the pernicious and illegal practice of unlawfully importing and clandeſtinely running and landing of tea; be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine, until the twenty fifth day of December one thouſand ſeven hundred and ſeventy one inclusive, there ſhall be paid to your Majeſty, your heirs and ſucceſſors, the ſum of ſix pence, and no more, for every pound of green tea, and the ſum of four pence, and no more, for every pound of black bohea and other tea, which ſhall be imported into this kingdom during the time aforeſaid, in lieu and full ſatisfaction of all cuſtom, exciſe, or other duties payable to your Majeſty for the ſame by any act or acts of parliament heretofore made in this kingdom.

6d. *per* lb. green.

4d. bohea and other tea.

in lieu of all duties.

Drawback for ſubjects in 24, ſtrangers 12 months after import, on certificate and requiſites performed.

IX. And be it further enacted by the authority aforeſaid, that if the ſaid wines and other merchandizes herein before mentioned, upon which the aforeſaid duties are hereby charged upon the importation thereof, ſhall be again exported by any merchant or merchants, who is or are ſubject or ſubjects of this realm, or any other your Majeſty's dominions, within twenty four calendar months, or by merchants ſtrangers within twelve calendar months after the importation thereof; and if due proof ſhall be firſt made, by certificate from the proper officers, of the due entry and payment of the ſaid duties hereby granted, and if all other requiſites ſhall be performed, which are by law required to be performed in thoſe caſes, where the duties of exciſe are to be repaid, that then the ſaid duties hereby impoſed ſhall, without any delay or reward, be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame, within one month after demand thereof, or the ſecurity for the ſaid duties by this act charged ſhall be vacated, as to ſo much as ſhall be ſo exported; any thing herein to the contrary notwithſtanding.

Cyder not retailed without licence.

X. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven

ſeven hundred and ſixty nine no perſon or perſons whatſoever ſhall ſell or tap out by retail any cyder within this kingdom, but only ſuch as ſhall be licenſed according to the directions of this act, under ſuch penalty as herein after is expreſſed.

XI. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's exciſe, or any three of them, and the collectors of his Majeſty's exciſe in their ſeveral and reſpective diſtricts, from time to time, to iſſue and grant ſuch licences for the ſelling and tapping out cyder by retail, and that for every ſuch licence, ſo to be granted, the ſum of one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee for the ſame; and if any perſon or perſons ſhall, from and after the twenty fifth day of December one thouſand ſeven hundred and ſixty nine, ſell or tap out cyder by retail without ſuch licence as aforeſaid, every ſuch perſon ſo offending ſhall, for every time he or ſhe ſhall ſo offend, forfeit and pay the ſum of five pounds.

Licence by three commiſſioners and collectors.

fee 1s. and 1d.

penalty 5l.

XII. And be it further enacted by the authority aforeſaid, that for the better ordering and collecting the ſaid duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, it ſhall and may be lawful to and for the gauger or gaugers, and officers of exciſe, within their reſpective diſtricts, from time to time, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, to enter in the day time into the houſes, out-houſes, ſtore-houſes, and cellars of every retailer or retailers of cyder, and to take an account of all ſuch cyder as ſhall be found in the poſſeſſion of ſuch retailer or retailers, and to charge ſuch retailer or retailers with the ſaid duty of one penny *per* gallon accordingly.

Entry by day by exciſe officers to take account and charge 1d. *per* gallon.

XIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine every retailer of cyder ſhall ſhew to the gauger or officers of exciſe, on demand, all his or her ſtock of cyder then on hand; and in caſe any ſuch retailer or retailers of cyder, or his, her, or their ſervant or ſervants (in caſe ſuch retailer or retailers ſhall not be preſent, when the gauger or officer of exciſe ſhall come to ſuch retailer's houſe to take ſtock as aforeſaid) ſhall refuſe to make declaration, and ſhew all his or her ſtock of cyder then on hand, every ſuch retailer ſhall for every ſuch offence forfeit and loſe the ſum of ten pounds; and if ſuch gauger or officers of exciſe ſhall, after declaration made as aforeſaid

Stock on hand declared on demand.

refuſal, or falſe return, 10l.

A. D. 1770. Chap. 2.

ſaid, find any cyder in the poſſeſſion or cuſtody of ſuch retailer or retailers, over and above the quantity ſo ſhewn and declared, ſuch retailer ſhall likewiſe forfeit and loſe the ſum of ten pounds.

XIV. And be it further enacted by the authority aforeſaid, that for the better collecting the ſaid duty chargeable on every perſon, who ſhall keep any carriages with four wheels (except as before excepted) every perſon, who from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, ſhall, within three calendar months after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, or within three calendar months after he or ſhe ſhall have or keep any ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, by writing under his or her hand certify to the collector of the diſtrict, where he or ſhe ſhall reſide or dwell, a true account of every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, which he or ſhe ſhall have or keep (except hackney or ſtage coaches, and coaches kept by coach-makers for ſale) with the name of the place and pariſh of his or her uſual reſidence or abode, which ſaid certificate ſhall be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom, now or hereafter to be appointed by the commiſſioners of his Majeſty's revenue in this kingdom, or any three or more of them, and ſhall be alſo entered in a book to be by them reſpectively kept for that purpoſe, and a number ſhall be entered on each certificate regiſtered, and that the ſaid collectors reſpectively ſhall, under their hands, on or before the twenty fifth day of December in every year, give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, from time to time returned to them reſpectively in ſuch certificate, with the names of the perſons and places of their abode reſpectively mentioned in ſuch reſpective certificates, to the perſons who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties, and that ſuch perſons as ſhall be appointed by the ſaid commiſſioners of exciſe, or any three of them, to collect the ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall have full power and authority to collect and receive the ſame, and ſhall reſpectively ſign and deliver acquittances without fee or reward for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty

Certificates of coaches, &c. in 3 months to the collector, with place of abode.

entered and numbered.

liſts returned by 25 Dec. yearly to collectors of duty.

acquittances without fee.

duplicates, and return as for hearth-money.

of fire-hearths, and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner, as books containing the duplicates of acquittances for the ſaid duty on fire-hearths are returned.

XV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, chargeable with the ſaid duty by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons ſo having or keeping ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, not certified as aforeſaid, ſhall, for ſuch neglect, forfeit the ſum of five pounds.

51 on not certifying.

XVI. Provided nevertheleſs, that every perſon (except as before excepted) having in his or her keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels, belonging to another, ſhall be charged for every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid duty impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

Poſſeſſor charged as owner.

XVII. And be it further enacted by the authority aforeſaid, that the perſon or perſons, who for the time being ſhall be authorized and impowered to collect and levy the ſaid duty on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duties ſhall be collected and raiſed; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into your Majeſty's treaſury, as other money received by them for the uſe of your Majeſty.

Duty levied paid to the collector.

ſeparate accounts.

Payment to treaſury.

XVIII. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional and other duties and rates hereby granted ſhall be raiſed, anſwered, collected, and paid unto your Majeſty, your heirs and ſucceſſors, during the term aforeſaid, at the ſame time, and in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed, in and by the ſaid act, made in this kingdom in the fourteenth and fifteenth years of the reign of king Charles the ſecond, intituled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; or by any other law now in force relative to the revenue of exciſe in this

All ſaid duties raiſed and paid as by 14 and 15 *C.* 2. c. 8. or other exciſe law, with like appeal.

A. D. 1770. Chap. 2.

this kingdom, as fully and effectually to all intents and purpoſes, as if the ſame were particularly mentioned, ſpecified, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe is provided.

4s. *per* pound on abſentees 6 months for ſalaries, employments, fees, or penſions,

XIX. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, who ſhall have upon the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, or who ſhall have at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, and the twenty fifth day of December one thouſand ſeven hundred and ſeventy one incluſive, any ſalary, profits of employments, fees or penſions in this kingdom, ſhall pay unto your Majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings a year, which he, ſhe, or they do or ſhall receive, or be intitled unto, by reaſon of ſuch ſalaries, profits of employments, fees, or penſions, over and above the charges and expences of executing the ſaid employments, unleſs ſuch perſon or perſons do or ſhall live and actually reſide within this kingdom for and during the ſpace of ſix calendar months at leaſt in each of the ſaid years; which ſaid tax or duty of four ſhillings ſterling, payable on every twenty ſhillings a year as aforeſaid, ſhall be ſtopped and deducted yearly out of ſuch reſpective ſalaries and penſions, during the time and term aforeſaid, by the vice treaſurer or vice treaſurers, paymaſter or paymaſters, and receiver general of your Majeſty's revenue, or by ſuch perſon or perſons who is or are to pay the ſame; and which ſaid tax of four ſhillings in the pound, to be ſtopped and deducted as aforeſaid by the perſon or perſons who are to pay the ſaid ſalaries, ſhall be by him or them paid to the vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to your Majeſty; and alſo, that the ſaid tax of four ſhillings in the pound, to be ſtopped and deducted out of the profits and fees of any perſon or perſons ſo abſent as aforeſaid, ſhall be ſtopped by the reſpective deputy or deputies of ſuch perſon and perſons ſo abſent as aforeſaid, and paid by them to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to your Majeſty; and that ſuch deputy or deputies ſhall, within one calendar month after ſuch tax ſhall become due, give in upon oath an account before the lord chief baron, or any of the barons of the exchequer, or any two juſtices of the peace, of the net profits of ſuch employment, or employments, for which ſuch deputy or deputies are or ſhall be accountable to their principals; which account ſuch perſon or perſons, to whom the ſame ſhall be given upon

ſtopped and accounted for.

Deputies in a month to account on oath for neat profits before a baron or two juſtices.

ſent to vice treaſurers.

upon oath as aforeſaid, ſhall forthwith ſend to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies; and in caſe ſuch deputy or deputies of the perſon or perſons ſo abſent as aforeſaid ſhall omit or neglect to give in upon oath ſuch account within the time herein before for that purpoſe appointed, ſuch deputy or deputies neglecting or omitting the ſame, from the time of ſuch omiſſion or neglect, ſhall be incapable of exerciſing or holding ſuch deputation, and ſhall alſo forfeit the ſum of one hundred pounds ſterling, to be recovered by bill, plaint, or information, in any of his Majeſty's courts of record at Dublin; one moiety thereof to the uſe of his Majeſty, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame, in which ſuit no eſſoign, protection, wager of law, or more than one imparlance ſhall be allowed.

Diſability on neglect, and 100l. to King and proſecutor.

XX. And be it further enacted by the authority aforeſaid, that the ſecretary or ſecretaries of the commiſſioners of your Majeſty's revenue, the agent and agents of the ſeveral regiments upon the eſtabliſhment of this kingdom, and the agent and agents of the ſeveral perſons who are intitled to receive any ſalaries or penſions upon your Majeſty's eſtabliſhment, ſhall reſpectively, on or before the laſt day of February yearly, deliver in upon oath, (which oath the ſaid lord chief baron, or any of the barons of your Majeſty's court of exchequer, or any two juſtices of the peace, are hereby required and impowered to adminiſter) to the beſt of their knowledge, a liſt or account of ſuch of the officers of the revenue, and the officers of the ſaid regiments of the degree of a field officer, and of the perſon or perſons who are intitled to receive any ſuch ſalaries, fees, or penſions, who ſhall have been abſent and out of this kingdom for ſix calendar months in the year, ending the twenty fifth day of December next preceding; and in caſe ſuch ſecretary or ſecretaries, agent or agents, ſhall refuſe or neglect to deliver in ſuch liſts reſpectively, he or they ſhall be diſabled from holding and enjoying the ſaid office of ſecretary or ſecretaries, or from being agent or agents.

Agents and commiſſioners ſecretaries to deliver on oath before a baron or two juſtices by the laſt of Feb. yearly liſts of ſuch abſentees,

or diſabled.

XXI. Provided always, and be it further enacted and declared by the authority aforeſaid, that this act ſhall not extend to charge the ſaid tax or duty of four ſhillings ſterling a year on every twenty ſhillings as aforeſaid upon the ſalary, penſion, fees, or profits of employments, payable to any of the deſcendants of your Majeſty's royal grandfather, nor to the lord lieutenant, or other chief governor or governors of this kingdom for the time being, his or their principal ſecretary, nor to the officers of ſuch regiments as now are or ſhall hereafter be commanded abroad on his

Excepted the late king's deſcendants, C. governor or ſecretary, officers on ſervice, under a field officer, half pay, widows.

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his Majeſty's ſervice, nor to any officers under the degree of a field officer, nor to the half pay officers on the eſtabliſhment of this kingdom, nor to the widows of officers.

p No fees on ayments under this act.

XXII. And be it further enacted by the authority aforeſaid, that neither the ſix pence per pound, nor any other fee, ſhall be payable to, or be deducted or received by the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for or on account of, the aids hereby granted to your Majeſty, or of any payment to be made in purſuance of this act.

10000l. of tea duty to linen manufacture.

XXIII. And be it further enacted by the authority aforeſaid, that ſo much of the yearly produce of the ſaid duties ariſing upon teas, as ſhall amount to the ſum of ten thouſand pounds yearly, ſhall in the firſt place be paid to the truſtees of the hempen and linen manufactures in this kingdom, and that ſo much of the reſidue of the ſaid duties upon teas, as ſhall amount to the ſum of ſeven thouſand three hundred pounds yearly, ſhall be placed to the account of your Majeſty's hereditary revenue; and that the reſidue or ſurplus of the produce of ſuch duties, together with the ſeveral other duties and aids hereby granted unto your Majeſty, ſhall in the firſt place be applied and paid by the vice treaſurer or vice treaſurers, his or their deputy or deputies, to the diſcharge of the intereſt of the ſaid reſpective principal ſums of ſix hundred and twenty five thouſand pounds, and thirty thouſand pounds, or ſuch part thereof as ſhall remain unpaid on the ſaid twenty fifth day of December, in the year of our lord one thouſand ſeven hundred and ſixty nine, and alſo to the diſcharge of the intereſt of ſuch ſum or ſums, not exceeding the ſaid ſum of one hundred thouſand pounds, as ſhall or may be borrowed in purſuance of this act, in the manner, and at the reſpective times, and according to the rates of intereſt herein before mentioned and appointed for that purpoſe, and that all the ſurplus or exceeding of the ſaid aids and duties hereby granted to your Majeſty, over and above what ſhall be ſufficient to diſcharge the intereſt of the aforeſaid ſeveral principal ſums, or ſo much thereof as ſhall remain due on the twenty fifth day of December one thouſand ſeven hundred and ſixty nine, and over and above what ſhall be ſufficient to pay the intereſt of what ſhall or may be borrowed in purſuance of this act, ſhall, in the firſt place, be applied towards the payment of the ſaid ſeveral principal ſums, or ſuch part thereof, as ſhall remain unpaid on the

7300l. to hereditary revenue.

Surplus with the other duties to the intereſt of ſaid ſums, and then to principal.

the twenty fifth day of December one thouſand ſeven hundred and ſixty nine. A. D. 1770. Chap. 2.

XXIV. And be it further enacted by the authority aforeſaid, that from and after the payment of the intereſt of the ſaid ſeveral and reſpective ſums before mentioned, when and as often as any ſurplus or exceeding of the aids and duties herein granted ſhall be received by the vice treaſurer or vice treaſurers, his or their deputy or deputies, and that ſuch ſurplus or exceeding ſhall amount to the ſum of thirty thouſand pounds, that then the vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall cauſe the numbers of ſuch receipts or debentures, amounting to the ſaid ſeveral principal ſums of ſix hundred and twenty five thouſand pounds, and thirty thouſand pounds, or ſuch part thereof as ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, which, purſuant to this preſent act, are to bear an intereſt at the rates aforeſaid, and the ſums therein contained, to be written on ſeveral tickets or pieces of parchment, and to be rolled and ſewed up, and put into a box or urn, and well mixed together, and an indifferent perſon ſhall publickly between the hours of ten and twelve in the forenoon of a day to be by the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, publickly advertiſed in the Dublin Gazette for that purpoſe at leaſt twenty days before, at the office of the vice treaſurer or vice treaſurers in the caſtle of Dublin, draw out of ſuch box or urn as many of ſaid tickets or pieces of parchment, as the ſums therein contained ſhall amount to the ſaid ſum of thirty thouſand pounds, and the perſon or perſons, the numbers of whoſe debentures or receipts ſhall be ſo drawn, his or their executors, adminiſtrators, or aſſigns, ſhall, within twenty days afer the ſaid tickets or pieces of parchment ſhall be drawn, be paid by the vice treaſurer or vice treaſurers, his or their deputy or deputies, the principal ſums to him, her, or them reſpectively due, with intereſt for the ſame at the rates aforeſaid, till paid, and ſhall upon payment thereof deliver his, her, and their ſeveral and reſpective debentures or receipts to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be cancelled, which he or they are hereby required to cancel accordingly, and the intereſt payable by virtue of ſuch debentures or receipts ſhall ceaſe from the expiration of twenty days, to be accounted from the day of drawing the ſaid tickets or pieces of parchment.

When ſurplus 30000l. drawn by balot.

XXV. And be it further enacted by the authority aforeſaid, that ſuch part of the ſaid principal ſums of ſix hundred twenty five thouſand pounds, and thirty thouſand pounds, hereby provid-

Principal and intereſt of ſaid ſums paid without any deduction.

ed for, as ſhall remain due and unpaid on the ſaid twenty fifth day of December which ſhall be in the year of our lord one thouſand ſeven hundred and ſeventy one; as alſo ſuch ſum or ſums of money not exceeding in the whole the ſaid ſum of one hundred thouſand pounds, as ſhall or may be borrowed in purſuance of this act, ſhall be well and truly ſatisfied and paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators and aſſigns, to whom the ſame ſhall be then due, together with ſuch intereſt for the ſame as ſhall be then due, at the rates aforeſaid, without any deduction, defalcation, or abatement whatſoever.

Separate accounts of duties appropriated

XXVI. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties and taxes granted by this act, or any other act of parliament now in force in this kingdom, and appropriated to particular uſes, and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general, and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a receipt for the ſame when paid into his Majeſty's treaſury; which ſaid receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby to give accordingly.

weekly abſtracts to accountant general.

ſeparate account by him to vice treaſurer.

ſeparate receipts given.

A COL-

A. D. 1772.

A COLLECTION OF STATUTES.

The eleventh year of GEORGE III.

CHAP. I.

An act for reviving, continuing, and amending ſeveral temporary ſtatutes.

Judgments.

WHEREAS an act of parliament paſſed in this kingdom in the ninth year of the reign of his late Majeſty King George the ſecond, intituled, *An act for the more effectual aſſigning of judgments, and for the more ſpeedy recovery of rents by diſtreſs*; which was explained and amended by an act paſſed in this kingdom in the twenty fifth year of the reign of his ſaid late Majeſty; and which ſaid act of the ninth year of the reign of his ſaid late Majeſty, ſo far as it relates to the aſſignment of judgments, hath been continued by ſubſequent acts of parliament, but hath lately expired, and is fit to be revived and continued: be it enacted by the King's moſt excellent Majeſty, by

9 G. 2. c. 5. recited, amended 25 G. 2. c. 14. continued as to aſſignment of judgments expired.

A. D. 1772. Chap. 1.

by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, that the said act of the ninth year of the reign of his said late Majesty, so far as it relates to the assignment of judgments, statutes-staple, or statutes-merchant; and as the same was amended and explained by the said act of the twenty-fifth year of his said late Majesty, shall be revived and continued, and remain in full force, so far as it relates to the assigning of judgments, statutes-staple, and statutes-merchant, until the twenty fourth day of June, which will be in the year, one thousand seven hundred and seventy two, and to the end of the then next session of parliament.

revived.

and as amended and explained by 25 *G.* 2. c. 14. continued as to assigning judgments, statutes staple and merchant, to 24 June 1772, &c.

Judgments.

II. And be it enacted by the authority aforesaid, that all persons, their executors, administrators, and assigns, to whom judgments and statutes-merchant, or statutes-staple, have been assigned since the expiration of the said acts, shall be intitled to sue or bring actions in their own names, or to acknowledge satisfaction on the records of such judgments so assigned, and may be intitled to, and shall have and receive all the benefit and advantage of the said recited acts of the ninth and twenty fifth years of his said late Majesty's reign, and of every clause and proviso therein contained, in as full and ample manner as if they had not expired.

Subsequent assignees intitled as if said acts not expired.

Game.

III. And be it further enacted by the authority aforesaid, that an act passed in this kingdom in the twenty fifth year of the reign of his said late Majesty king George the second, intituled, *An act for the better preservation of the game*, which was continued by one or more subsequent act or acts of parliament, but hath lately expired, shall be revived and continue in force, until the twenty fourth day of June, which will be in the year one thousand seven hundred and seventy two, and to the end of the then next session of parliament.

25 *G.* 2. c. 5. revived, continued to 24 June 1772, &c.

Game.

IV. And be it further enacted by the authority aforesaid, that a clause in an act of parliament passed in this kingdom in the thirty first year of the reign of his said late Majesty King George the second, intituled, *An act for reviving, continuing, and amending several temporary statutes*, which makes the killing and destroying wild turkies subject and liable to the same penalties and forfeitures, that the destroying pheasants, partridge, and quail, are made liable to by the said act of the twenty fifth year of the reign of his said late Majesty King George the second, shall be revived and continue in force until the

31 *G.* 2. c. 9. s. 4. revived, continued to 24 June 1772.

twenty fourth day of June, which will be in the year one thouſand ſeven hundred and ſeventy two.

Game.

3 G. 3. c. 23. continued to 24 June 1772, &c.

V. And be it further enacted by the authority aforeſaid, that an act of parliament paſſed in this kingdom in the third year of the reign of his preſent Majeſty, intituled, *An act for the better preſervation of the game*, ſhall continue in force until the twenty fourth day of June, which will be in the year one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament.

Papiſts.

Recital, 3 G. 3. c. 26.

VI. And be it further enacted by the authority aforeſaid, that an act of parliament paſſed in this kingdom in the third year of the reign of his preſent Majeſty, intituled, *An act for confirming the titles, and for quieting the poſſeſſion of proteſtants, and for giving time to converts from popery to perform the requiſites of conformity preſcribed by the laws againſt popery*; which enacts, that all ſuch perſon or perſons, as had heretofore obtained the biſhop's certificate of their conformity, and from and after the obtaining the ſame, had profeſſed the proteſtant religion, and had continued proteſtants, and had not performed all the other legal requiſites of conformity, and ſhould perform the ſame before the firſt day of December one thouſand ſeven hundred and ſixty five, ſhould from the time of his, her, or their conformity from the popiſh to the proteſtant religion be deemed and taken to be proteſtants of the eſtabliſhed church to all intents and purpoſes; in which ſaid act there is a proviſo, that nothing therein contained ſhould bar, defeat, or prejudice any judgment or decree theretofore obtained by any perſon or perſons whatſoever in any court of law or equity, or any ſuit then depending grounded on the popery laws: And whereas the time for performing the ſaid requiſites hath been enlarged by ſubſequent acts of parliament, but is now expired; be it enacted by the authority aforeſaid, that all ſuch perſon and perſons, as have heretofore obtained the biſhop's certificate of their conforming, and from and after obtaining the ſame have profeſſed the proteſtant religion, and have continued proteſtants, and have not performed all other legal requiſites of conformity, and ſhall perform the ſame before the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament, ſhall from the time of his, her, or their conformity from the popiſh to the proteſtant religion be deemed and taken to be proteſtants of the eſtabliſhed church to all intents and purpoſes.

time for conformity enlarged to 24 June 1772, &c.

A. D. 1772. Chap. 1.

VII. Provided always, that nothing herein contained ſhall bar, defeat, or prejudice any judgment or decree heretofore obtained by any perſon or perſons whatſoever in any court of law or equity, or any ſuit now depending either at law or in equity, grounded on the popery laws, which have been duly obtained and proceeded on.

not to affect former judgments, decrees, or ſuits on popery laws.

Riots.

VIII. And be it further enacted by the authority aforeſaid, that an act of parliament paſſed in this kingdom in the ſixth year of the reign of his preſent Majeſty, intituled, *An act to prevent for the future tumultuous riſings of perſons within this kingdom, and for other purpoſes therein mentioned*, ſhall be continued in force until the twenty fourth day of June, which will be in the year one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament.

6 G. 3. c. 8. continued to 24 June 1772, &c.

Tithes.

IX. And whereas an act of parliament paſſed in this kingdom in the ſeventh year of the reign of his preſent Majeſty, intituled, *An act to continue and amend an act paſſed in the third year of his Majeſty's reign*, intituled, *an act to explain and amend an act made in the thirty third year of the reign of Henry the eighth*, intituled, *an act for tythes, and for other purpoſes therein mentioned*, is near expiring; be it enacted by the authority aforeſaid, that the ſaid act ſhall remain and continue in force until the twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament.

7. G. 3. c. 21, continued to 24 June 1772, &c.

CHAP.

A. D. 1772.

CHAP. II.

An act for reviving, continuing, and amending ſeveral temporary ſtatutes, and for other purpoſes.

Sheriffs.

WHEREAS the ſeveral temporary laws and ſtatutes herein after mentioned, are found to be of general uſe and fit to be continued: and whereas an act of parliament was paſſed in this kingdom in the third year of the reign of his late Majeſty King George the ſecond, intituled, *An act for the further explaining and amending ſeveral ſtatutes for prohibiting under ſheriffs and ſheriffs clerks from officiating as ſub-ſheriffs or ſheriffs clerk more than one year, and to render more effectual an act to prevent fees being taken in certain caſes, and to take away the pretended office of barony-clerk, and to oblige ſheriffs to appoint deputies for granting replevins*, in which act there is a clauſe relating to the preferring any bill or bills in the court of chancery or exchequer for the diſcovery of any offence againſt the ſaid act, or againſt an act therein mentioned of the tenth year of the reign of her late Majeſty queen Anne, and obliging any perſon to anſwer the ſame at large; which ſaid act of the third year of his ſaid late Majeſty is expired, and the ſaid clauſe is fit to be revived and continued: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid recited clauſe be revived and continued in full force until the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament.

3 *G.* 2. c. 9. continued to 24 June 1772, &c.

Vermin.

II. And whereas an act paſſed in the ſeventeenth year of the reign of his late Majeſty King George the ſecond, intituled, *An act to prevent the pernicious practice of burning land, and for the more effectual deſtroying of vermin*, which act has been further continued by an act paſſed in the firſt year of his preſent Majeſty's reign, intituled, *An act for reviving and amending ſeveral temporary ſtatutes, and for other purpoſes*, in which act there is a clauſe which hath been revived and continued, with an exception as to rooks and herons, to the firſt day of May one thouſand ſeven hundred and ſixty nine: be it enacted by the authority aforeſaid, that the ſaid clauſe be further revived and continued in force until the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament.

17 *G.* 2. c. 10. continued by 1 *G.* 3. c. 17. 2, except as to rooks and herons, further continued to 24 June 1772, &c.

Burning land

III. And whereas by ſeveral acts paſſed in this kingdom the burning of land by any tenant, without the permiſſion of his landlord, has been declared to be an offence, and as ſuch has been prohibited under a penalty; and whereas the ſaid penalty has been found inſufficient to deter men from committing the ſaid offence: be it enacted by the authority aforeſaid, that any perſon who ſhall after the tenth day of May one thouſand ſeven hundred and ſeventy one burn the ſoil or ſurface of the earth

Penalty inſufficient,

burning contrary to 17 *G.* 2. c. 10. or 1 *G.* 3. c. 17. in

A. D. 1772. Chap. 2.

earth or cauſe or permit the ſoil or ſurface of the earth to be burned on any lands in this kingdom, contrary to the proviſions of the ſaid act of the ſeventeenth of his ſaid Majeſty King George the ſecond, or of an act paſſed in the firſt year of his preſent Majeſty's reign, intituled, *An act for reviving and amending ſeveral temporary ſtatutes, and for other purpoſes therein mentioned*, or contrary to the intention of this act, ſhall, inſtead of the penalties inflicted by the ſaid acts, forfeit the ſum of five pounds for every Engliſh ſtatute acre (over and above all rent) ſo to be burned, to be recovered in the ſame manner as the penalties given by the ſaid acts may be recovered.

lieu of penalties therein, 5l. *per Engliſh* ſtatute acre above all rent,

Workhouſe.

19 G. 2. c. 21. and all acts now in force as to *Dublin* workhouſe, the taxes and powers, continued to 24 June 1792, &c.

repealed by 11 & 12 G. 3. c. 11 ſ. 1.

IV. And whereas an act paſſed in the nineteenth year of the reign of his late Majeſty King George the ſecond, intituled, *An act for continuing and amending the ſeveral laws relating to the workhouſe of the city of Dublin*, whereby it was enacted, that the ſeveral taxes mentioned therein, and in the ſeveral acts therein recited, ſhould continue and be payable for the uſes, in the ſaid acts mentioned, for and during the ſpace and term of twenty one years, from the firſt day of May one thouſand ſeven hundred and forty nine, and from thence to the end of the then next ſeſſion of parliament: and whereas the charities, ſupported by the ſaid taxes, have been found to be of conſiderable benefit and advantage to the publick, and therefore the ſaid act, and the other acts therein and thereby referred to, are fit to be continued: be it enacted by the authority aforeſaid, that the ſaid recited acts and all other the acts now in force, relative to the ſaid workhouſe of the city of Dublin, and the ſeveral taxes thereby impoſed, or intended to be impoſed, and the ſeveral powers and authorities therein and thereby given, be and the ſame are hereby further continued in full force until the twenty fourth day of June, which ſhall be in the year of our Lord one thouſand ſeven hundred and ninety two, and to the end of the then next ſeſſion of parliament.

Tillage.

5 G. 3. c. 29. continued to 24 June 1772, &c.

to June 1776, *&c. by* 13 & 14 G. 3. c. 41. ſ. 4.

V. And be it enacted by the authority aforeſaid, that an act of parliament paſſed in this kingdom in the fifth year of the reign of his preſent Majeſty, intituled, *An act for the further encouragement of tillage in this kingdom*, be continued and be and remain in full force until the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament.

Drugs.

1 G. 3. c. 14. continued to 24 June 1772, &c.

VI. And be it further enacted by the authority aforeſaid, that an act paſſed in this kingdom in the firſt year of the reign of his preſent Majeſty King George the third, intituled, *An act for prevented frauds and abuſes in the vending, preparing, and adminiſtring drugs and medicines*, which is expired, be revived, and be continued in full force until the twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament.

A. D. 1772.

CHAP. III.

An act for allowing further time to persons in offices or employments, to qualify themselves pursuant to an act, intituled an act to prevent the further growth of popery.

Persons qualifying by 1st August 1774 pursuant to 2 *Ann.* c. 6. indemnified.

WHEREAS several persons well affected to his Majesty's government, and the church of Ireland, as by law established, may have through ignorance neglected, or been prevented by sickness or other unavoidable causes from taking and subscribing the oaths, and making and subscribing the declaration, and from receiving the sacrament of the lord's supper, according to the directions of an act made in this kingdom in the second year of the reign of her late Majesty Queen Anne, intituled, *an act to prevent the further growth of popery*, and by their inadvertency may have incurred great penalties: be it enacted by the king's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that all and every person or persons, who have incurred any penalties and incapacities in the said act, intituled, *an act to prevent the further Growth of popery*, mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged of and from all incapacities, disabilities, forfeitures, and penalties incurred by reason of such omission or neglect as aforesaid; and that no act or acts done by them, or any of them, or by authority derived from them, or any of them, and not yet avoided, shall be questioned or avoided by reason of such neglect or omission; but all such acts shall be and are hereby declared and enacted to be as good and effectual, as if all and every such person and persons had taken and subscribed the said oaths, and received the said sacrament, and made and subscribed the said declaration in manner as aforesaid; any thing in the said act to the contrary notwithstanding: provided such person or persons do and shall take and subscribe the said oaths, and receive the said sacrament, and make, repeat, and subscribe the said declaration in such manner and form, and in such place and places, as are directed and appointed by the said act to prevent the further growth of popery, on or before the first day of August, which shall be in the year of our Lord one thousand seven hundred and seventy-four.

Offices already avoided not restored.

II. Provided always, that this act, or any thing herein contained, shall not extend to restore or intitle any person or persons to any office or employment already actually avoided by judgment of any of his Majesty's courts of record, or already filled up by any other person; but that such office or employment shall be and remain in the person or persons, who is or are now intitled by law to the same, as if this act had never been made.

Not extended to justices left out and afterward inserted in commission for same place.

III. Provided, that nothing herein contained shall extend to any justice or justices of the peace, who shall be left out of any renewed or other commission of the peace, for any county or place, and shall afterwards be inserted in any future commission of the peace for the same county or place.

A. D. 1772.

CHAP. IV.

An act for directing the application of the ſum of twenty eight thouſand eight hundred pounds, granted the laſt ſeſſion of parliament, to be applied to ſuch publick works, and other purpoſes, as ſhould be directed by parliament.

9 G. 3, c. 1. ſ. 7.

WHEREAS by an act paſſed in the ninth year of the reign of his preſent Majeſty, intituled, *an act for granting to his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns (except of the manufacture of Great Britain,)* it was enacted, that the ſum of twenty-eight thouſand eight hundred pounds be granted to his Majeſty, to be applied to ſuch publick works and other purpoſes, referred to the committee of ſupply, and not already provided for in the ſaid committee, and to be diſpoſed of in ſuch manner and proportion, as ſhall be directed by parliament: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in preſent parliament aſſembled, and by the authority of the ſame, that the ſum of ten thouſand pounds be given to the Dublin Society for the improvement of huſbandry and other uſeful arts in Ireland, and to enable them to continue premiums for the encouragement of agriculture, arts, and manufactures, and to pay the ſum of ſixty pounds a year, heretofore intended by this houſe to be granted to the reverend doctor Chaigneau, ſecretary to the Dublin Society, for his trouble in receiving and ranging the claims and affidavits of the ſeveral perſons intitled to premiums for preſerving corn on ſtands, purſuant to act of parliament, to be paid him from the commencement of the ſaid premiums to and for the firſt of November, one thouſand ſeven hundred and ſixty nine; the ſum of one thouſand pounds to the truſtees named in an act, intituled, *an act for making more convenient the approaches to the city of Dublin*, to enable them to carry the ſaid act into execution, to be accounted for to parliament; the ſum of two thouſand pounds to Chriſtopher Colles, eſquire, mayor, Peter Coſſart and Jaſper Lucas, eſquires, ſheriffs, James Chatterton, eſquire, Sampſon Twogood French, Hugh Lawton the younger, eſquire, alderman William Parks, Burgeſs Rowland, Burgeſs Wilcocks, John Smith and William Colles, eſquire, Mr. James Morriſon

28800l. thereby granted. applied,

10,000l. to Dublin Society,

1000l. to the city road,

2000l. to *Cork* harbour,

Morriſon, Mr. William Fitton, alderman Bradſhaw and George Perry, eſquire, meſſieurs James and Paul Benſon, Joſeph Devonſher and Thomas Strettle, Chriſtopher Carleton, Hugh Lawton, and Francis Carleton, Stephen Dunroche, John Digby, and Francis Grey, merchants, or any five of them, towards cleanſing and improving the Cork harbour, from the cuſtom-houſe quay to a place called Black Rock, to be accounted for to parliament; and that the mayor and ſheriffs for the time being ſhall alſo be truſtees for carrying on the ſaid work; the ſum of eight hundred pounds to Roger Hall, Robert Roſs, Robert Scott, and Edward Correy, eſquires, towards erecting a wet dock and piers at Warren Point, in the Bay of Carlingford, to be by them accounted for to parliament; the ſum of one thouſand pounds to the right honourable Francis Andrews and Hugh Hill, eſquire, towards widening and enlarging the quay of Londonderry, to be accounted for to parliament; the ſum of one thouſand pounds to the corporation for carrying on the inland navigations of this kingdom, to be by them applied towards carrying on the navigation of the river Barrow, and to be accounted for to parliament; the ſum of twelve hundred pounds to Hugh Swayne, eſquire, mayor of Youghall, Nicholas Stoute, and Richard Uniacke, eſquires, bailifs of Youghall, Peter Hennis, eſquire, collector of Youghall, and John Briſcoe, eſquire, port ſurveyor, or any three of them, for clearing the channel of the harbour of Youghall, and towards erecting a pier to the northward of the ſaid harbour, to be accounted for to parliament; the ſum of five hundred pounds to Rhodolphus Kent, Henry Vaughan and John French Andrew, or any two of them, to be laid out in repairing the market quay of Galway, they giving ſecurity for the due application of the ſame, and to account for it to parliament; the ſum of three thouſand pounds to the navigation board, to be by them expended in making a communication from Dromglaſs colliery in the county of Tyrone, to the head of the Newry navigation, commonly called the baſon, to be accounted for to parliament; the ſum of eight hundred and forty two pounds ſixteen ſhillings to the commiſſioners appointed by act of parliament for making wide and convenient paſſages from Eſſex bridge to the caſtle of Dublin, to enable them to pay the executors of Samuel Bryan the ballance due to them for houſes pulled down at the north weſt end of the old bridge; the ſum of two hundred and fifty pounds to John Wade, chemiſt, to enable him to carry on a Pharmacopeia Pauperum, or diſpenſary for the poor of the city of Dublin; the ſum of two thouſand ſix hundred and ſixty nine

800l. *Carlingford* bay,

1000l. *Londonderry* quay,

1000l. river *Barrow*,

1200l. *Youghall* harbour,

500l. *Galway* quay on ſecurity given to apply,

3000l. the colliery to *Newry* baſon,

842l. 16s. from *Eſſex* bridge to the caſtle,

250l. for a diſpenſary,

A. D. 1772. Chap. 4.

nine pounds four ſhillings and ſix pence to the corporation of the city of Dublin, to reimburſe them the ſaid ſum expended by them in carrying on the ballaſt office wall in the harbour of Dublin; the ſum of two thouſand ſeven hundred and fourteen pounds eleven ſhillings and ſix pence half penny to the corporation of the city of Dublin to reimburſe them the ſaid ſum expended by them in carrying on the inland navigation from Dublin to Ballyfarnham; the ſum of one thouſand pounds to the miniſter and church wardens of the pariſh of ſaint John, Dublin, towards rebuilding the church of the ſaid pariſh to be by them accounted for to parliament; and the ſum of eight hundred and twenty-three pounds ſeven ſhillings and eleven pence halfpenny to John Walter of the city of Dublin, clothier, to reimburſe him the loſſes by him ſuſtained by the deſtruction of his mills; all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers, receiver general or receivers general, of this kingdom, without any further or other warrant to be ſued for, had, or obtained in that behalf.

2669l. 4s. 6d. ballaſt office wall,

2714l. 11s. 6½. *Ballyfarnham* navigation,

1000l. St. John's church,

823l. 7s. 11½ to *John Walter*, clothier,

paid by the vice treaſurers without further warrant.

CHAP. V.

An act to prevent combinations to raiſe the price of coals in the city of Dublin.

WHEREAS ſeveral unlawful combinations have been entered into to raiſe the price of coals in the city of Dublin, to the great prejudice of the publick; for remedy whereof, and to prevent the like for the future, be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twelfth day of May one thouſand ſeven hundred and ſeventy-one no maſter, owner, or mate of any coal ſhip or veſſel within the port or city of Dublin, ſhall give, or promiſe to give, any fee, gratuity, reward, or allowance whatſoever to any factor, purſer, agent, or other perſon for ſelling of any coals; and that no factor, purſer, agent, or other perſon, ſhall receive, or contract to receive, from any maſter, owner, or mate of any ſuch coal ſhip or veſſel, any fee, gratuity, reward, or allowance whatſoever, for ſelling of any coals; and that every perſon who ſhall, after the time aforeſaid, offend herein, ſhall, for every ſuch offence forfeit the ſum of one hundred pounds, to be recovered and applied in the manner directed by an act paſſed

No allowance by maſter, owner, or mate of coal veſſels in *Dublin* for ſelling coals given or promiſed,

or received or contracted for,

penalty 100l.

as by 1 *G.* 3, c. 10.

passed in the first year of his present Majesty's reign, intituled, *an act to prevent the excessive price of Coals in the city of Dublin.* A. D. 1772. Chap. 5.

Coals sold only by master or mates and those authorized,

II. And be it further enacted by the authority aforesaid, that from and after the time aforesaid no person or persons whatsoever, except the master or mates of such coal ships or vessels, and the persons authorized by the said act, shall sell any coals within the port or city of Dublin; and that every person offending herein shall for every such offence forfeit the sum of fifty pounds, to be recovered and applied in the manner herein before mentioned.

Penalty 50 l.

No allowance, save freight 1s and 6d. per ton given or promised to or received or contracted for by, owners of gabbard, lighter, or others for carriage to the quays,

III. And whereas several large coal ships or vessels draw too much water to pass Ring's-End point, and the masters and owners of gabbards and lighters frequently refuse to bring the coals from such ships or vessels to the quays of the city of Dublin, unless an allowance, called the Old Man, is made to them; be it enacted by the authority aforesaid, that no masters, owners, or mate of any such ship or vessel, shall after the time aforesaid give, or promise to give, to any master or owner of such gabbard or lighter, or other person, any fee, gratuity, reward, or allowance whatsoever, except freight, not exceeding the rate of one shilling and six pence *per* ton, for carrying any coals from such ships or vessels to the quays; and that no master or owners of any gabbard or lighter, or other person, shall receive, or contract to receive, any fee, gratuity, reward, or allowance whatsoever, except freight, not exceeding the rate aforesaid, for carrying any coals from such ships or vessels to the said quays; and that every person offending herein shall forfeit for every such offence the sum of fifty pounds, to be recovered and applied as herein before is mentioned.

penalty 50l.

Irish coal by inland canal to Dublin considered as imported, and like premium.

IV. And be it further enacted by the authority aforesaid, that all coals, which shall be brought into the said city of Dublin from any colliery in this kingdom by means of any inland canal, made or to be made in this kingdom, shall be considered as imported into the said city; and the master or owner so importing the same shall be intitled to all premiums and encouragements granted for bringing Irish coals into the said city.

Continued to 24 June, 1774, &c. *to June* 1780 *by* 17 & 18 *G.* 3, *c.* 36, *s.* 13, *and to* 24 *June* 1785 *by* 19 & 20 *G.* 3, *c.* 14, *s.* 6.

V. Provided always, and be it enacted by the authority aforesaid, that this act shall continue in force until the twenty fourth day of June one thousand seven hundred and seventy four, and to the end of the then next session of parliament.

A. D. 1772.

CHAP. VI.

An act to prevent the pernicious practice of burning bricks within the city of Dublin, or the neighbourhood thereof.

Bricks not made or burned within two meaſured miles from the publick lamps,

WHEREAS large quantities of bricks are frequently burned within the city of Dublin, and in the neighbourhood thereof, by means whereof the inhabitants of the ſaid city are grievouſly annoyed, and the lives of many weakly perſons have been loſt: for remedy thereof be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the tenth day of May one thouſand ſeven hundred and ſeventy one no perſon ſhall make, or cauſe to be made, burn, or cauſe to be burned, any bricks within the diſtance of two meaſured miles from the publick lamps of the city of Dublin, on pain of forfeiting the bricks, and ten ſhillings for every thouſand bricks made or burned within the aforeſaid limits.

or forfeited and 10s. *per* 1000l.

Two juſtices may on complaint ſummon, convict on oath of one witneſs, order ſale, and levy ſaid penalty.

II. And be it enacted by the authority aforeſaid, that upon complaint, made before two or more juſtices within their reſpective juriſdictions, ſuch juſtices are hereby authorized and required to ſummon the perſon or perſons ſo complained of before them, and upon appearance or default of the perſon or perſons ſo complained of, and due proof of ſuch offence by the oath of one or more credible witneſs or witneſſes, to convict ſuch offender or offenders, and to order by warrant under their hands and ſeals the bricks to be ſold by public cant, and the ſaid penalty of ten ſhillings *per* thouſand to be levied by diſtreſs and ſale of the offenders goods.

To firſt informer and *Mercer*'s hoſpital,

III. And be it enacted by the authority aforeſaid, that one moiety of ſaid penalty, and of the produce of the bricks, ſhall, after deducting the neceſſary expences attending the ſale of the bricks and levying the penalty, be paid to the firſt informer, the other moiety to the governors of Mercer's hoſpital for the uſe of ſaid hoſpital; and for want of ſufficient diſtreſs ſuch juſtices are hereby authorized and required to commit the perſon or perſons ſo offending to the common gaol of the city, or county, there to remain without bail or mainprize for any term not exceeding three months.

if no diſtreſs, 3 months impriſonment.

Pariſhioners and inhabitants, ſave receiving alms, allowed witneſſes.

IV. And be it further enacted by the authority aforeſaid, that the pariſhioners and inhabitants of the pariſh, liberty, or precinct,

cinct, where any offence againſt this act ſhall be committed (except perſons receiving alms) ſhall be admitted and allowed to be competent witneſſes, notwithſtanding his, her, or their being a pariſhioner or pariſhioners, inhabitant or inhabitants, in ſuch pariſh, liberty, or precinct. A. D. 1772.

CHAP. VII.

An act for puniſhing ſuch perſons as ſhall do injuries and violences to the perſons or properties of his Majeſty's ſubjects, with intent to hinder the exportation of corn.

WHEREAS many diſorderly and evil minded perſons have of late frequently aſſembled themſelves in great numbers, and committed great violences, and done many injuries to the perſons and properties of his Majeſty's ſubjects, with intent to hinder the exportation of corn or potatoes, or the carriage thereof from one part of this kingdom to another, whereby many of his Majeſty's ſubjects have been deterred from buying corn and grain, and potatoes, and following their lawful buſineſs therein, to their great loſs and damage, as well as the great damage and prejudice of the farmers and landlords of this kingdom, and of the nation in general: for the better preventing ſuch wicked and diſorderly practices, and more eaſily and effectually bringing ſuch offenders to condign puniſhment, be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that if any perſon ſhall from and after the firſt day of June next wilfully and maliciouſly beat, wound, or uſe any other violence to or upon any perſon or perſons with intent to deter or hinder him or them from buying of corn, or grain, or potatoes, in any market or other place within this kingdom, or ſhall unlawfully ſtop or ſeize upon any waggon, cart, or other carriage, or horſe loaded with wheat, flour, meal, malt, or other grain, or potatoes, in or on the way to or from any city, market town, ſeaport, or other uſual place of ſhipping corn or potatoes in this kingdom, or wilfully and maliciouſly break, cut, ſeparate, or deſtroy the ſame, or any part thereof, or the harneſs of the horſes drawing the ſame, or ſhall unlawfully take off, drive away, kill or wound any of ſuch horſes, or unlawfully beat or wound the driver or drivers of ſuch waggon, cart, or other carriage or horſe ſo loaded, in order to ſtop the ſame, or ſhall by cutting the ſacks or otherwiſe ſcatter or throw abroad ſuch

Any violence to hinder buying corn, grain, or potatoes,

to ſtop or ſeize carriage or horſe ſo loaded in, to, or from a place for ſhipping,

to cut or deſtroy any part or harneſs,

take off, drive, or wound horſes, or beat drivers,

A. D. 1772. Chap. 7.

ſuch wheat, flour, meal, malt, or other grain, or potatoes, or ſhall take and carry away, ſpoil, or damage the ſame, or any part thereof, or ſhall diſtribute the ſame, or compel the owner or his ſervant, or the carrier of ſuch wheat, flour, meal, malt, or other grain or potatoes, to diſtribute or otherwiſe depart from the poſſeſſion thereof, or of any part thereof, contrary to his conſent, every and all ſuch perſon and perſons being thereof lawfully convicted before any two juſtices of the county, county of the city, or county of the town or place corporate, wherein ſuch offence or offences ſhall be committed, or before the juſtices of the peace in open ſeſſion, who are hereby authorized and impowered ſummarily and finally to hear and determine the ſame, upon the confeſſion of the party, or upon the oath of one or more perſons, (which oath the ſaid juſtices are hereby impowered to adminiſter) ſhall be ſent to the common gaol, or to the houſe of correction, there to continue and be kept to hard labour, for any time not exceeding the ſpace of three months, nor leſs than one month, and ſhall by the ſame juſtices be alſo ordered to be once publickly and openly whipped by the maſter or keeper of ſuch gaol or houſe of correction, in ſuch city, market town, or ſea port, in or near to which ſuch offence ſhall be committed, on the firſt convenient market day at the market croſs or market place there between the hours of eleven and two of the clock.

ſcatter, take, or damage the corn, &c.

or compel a diſtribution,

convicted by two juſtices, or at ſeſſions,

committed not above three months, nor under one,

and publickly whipped

II. And be it further enacted by the authority aforeſaid, that if any ſuch perſon or perſons ſo convicted ſhall commit any of the offences aforeſaid a ſecond time, or if from and after the ſaid firſt day of June next any perſon or perſons ſhall wilfully and maliciouſly pull, throw down, or otherwiſe deſtroy any ſtore houſe or granary, or other place, where corn ſhall be then kept, in order to be exported, or ſent from one part to another of this kingdom coaſtways, or ſhall unlawfully enter any ſuch ſtore houſe, granary, or other place, and take and carry away any corn, flour, meal, or grain therefrom, or ſhall throw abroad, or ſhall ſpoil the ſame, or any part thereof, or ſhall unlawfully enter on board any ſhip, barge, boat, or veſſel, and ſhall wilfully and maliciouſly take and carry away, caſt or throw out therefrom, or otherwiſe ſpoil or damage, any meal, flour, wheat, or other grain therein, intended for exportation, or to be ſent coaſtways as aforeſaid, every perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged guilty of felony, and ſhall be tranſported for the ſpace of five years, in like manner as other felons are directed to be tranſported by the

Second offence,

or deſtroying granaries,

taking or ſpoiling the corn, &c. therein or on board a veſſel for export or coaſtways,

felony, tranſportation, five years,

laws and ſtatutes of this realm; and if any ſuch offenders ſo tranſported ſhall return into this kingdom before the expiration of the ſaid five years, he or ſhe ſhall ſuffer death as a felon without benefit of clergy. A. D. 1772.

returning, felony, death.

III. Provided always, that no attainder from any offence, made felony by virtue of this act, ſhall make or work any corruption of blood, loſs of dower, or diſinheritance of heir or heirs.

No corruption of blood, &c. thereby.

CHAP. VIII.

An act to repeal an act, intituled, an act for the relief of debtors, with reſpect to the impriſonment of their perſons.

WHEREAS an act of parliament made in the eighth year of his preſent Majeſty's reign, intituled, *an act for the relief of debtors, with reſpect to the impriſonment of their perſons*, has been found by experience greatly to affect perſonal credit, and prejudicial to the trades and manufactures of this kingdom; be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the aforeſaid act, and every clauſe thereof, be henceforth repealed, and made null and void.

8 *G.* 3 c. 25, affecting perſonal credit, trade, and manufactures, repealed.

CHAP. IX.

An act to explain and amend an act paſſed in the fifth year of his Majeſty king George the third, intituled, an act for amending the publick roads.

WHEREAS there are many publick roads in the province of Ulſter which cannot without great expence and waſte of ground be made of the breadth required by the ſaid act, and which nevertheleſs ought to be kept in proper repair; be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that a veſtry ſhall and may be held in every pariſh or union in the province of Ulſter, on the firſt Tueſday, Wedneſday, or Thurſday after the feaſt of ſaint Michael in every year, in the church of ſuch pariſh or union, or at ſome place within ſuch pariſh or union to be appointed for that purpoſe by the rector, vicar, or officiating curate in ſuch pariſh or union where there is no church; and that the proteſtant pariſhioners

Roads in *Ulſter*, not without expence and waſte made of the breadth in 5 *G.* 4, c. 14.

in *Ulſter* Michaelmas veſtries held yearly, *altered by* 13 & 14 *G.* 3, *c.* 32, *ſ.* 41.

A. D. 1772. Chap. 9.

parishioners of such parish or union in such vestry assembled, or the major part of them, shall and may present such Sum or Sums of money to be raised upon such parish or union, as they shall think necessary, not less than one penny, nor exceeding two pence, for each acre (at the rate upon the several owners and occupiers of the lands and houses within said parish, as the same have been usually rated at in vestry presentments) for amending or repairing the roads in or through the said parish or union for the ensuing year; and shall or may chuse one or more proper overseer or overseers to take care, that the money so presented shall be properly expended in amending or repairing such roads in the said parish or union, as shall be directed by such vestry, and to allow such overseer or overseers any sum not exceeding eighteen pence a day each for his or their wages, while they are employed in overseeing such roads; and also to appoint one or more proper person or persons to collect the money so presented or assessed, and to allow the said person or persons any sum, not exceeding twelve pence in the pound for collecting the same; and also to chuse one or more director or directors of the said roads; and also to chuse two or more proper persons to be applotters for such parish or union; each of which persons, so chosen to be an applotter, shall, within one month after such presentment made, swear before some justice of the peace of the county, in which such parish or union is situated, that he will, according to the best of his skill, knowledge, and judgment, and without favour or partiality to any person whatsoever, justly applot the several sums of money, that shall be presented or assessed by the vestry of such parish for the purpose aforesaid on the occupiers of land within the said parish or union: and the said two or more persons, so as aforesaid chosen to be applotters, within two months after such presentment or assessment shall be made by such vestry, shall accordingly applot the sums so presented and assessed, and shall return their applotment of the money presented by such vestry to the rector, vicar, or officiating curate of such parish or union, signed by them; which applotment shall be afterwards signed by such rector, vicar, or officiating curate, and delivered to the person or persons, who shall be appointed as aforesaid to collect the sums of money therein mentioned, and shall be a sufficient warrant to the person or persons, appointed to collect the said money, for levying within every such parish or union such sums as shall be so presented or assessed: and if any person shall refuse to pay the sum, which he or she ought to pay, according to such applotment

majority of protestants to present not under one penny nor above two-pence *per* acre, as usually rated, for repairing the parish roads for the year,

and chuse overseers, allowing not above 18 pence *per* day each while employed,

and appoint collectors, allowing not above 12 pence *per* pound,

and directors,

and applotters sworn in a month after presentment before a justice,

to applot in two months,

and return to rector, &c.

signed, and delivered to collectors,

a sufficient warrant to levy presentment,

applotment, it ſhall be lawful for the perſon or perſons, appointed to collect ſuch money, to levy the ſame by diſtreſs and ſale of ſuch perſon's goods, rendering the overplus, if any, to the owner: and that all ſuch money, as ſhall be ſo collected, ſhall be paid to ſuch director or directors; and that ſuch director or directors ſhall pay ſuch money to ſuch overſeer or overſeers in ſuch ſhares and proportions, and at ſuch times, as he or they ſhall think proper; and that ſuch director or directors ſhall, at a veſtry to be held on the firſt Tueſday, Wedneſday, or Thurſday after the feaſt of ſaint Michael in the next ſucceeding year, account fully and faithfully upon oath, (which oath the rector, vicar, or officiating curate, is hereby impowered to adminiſter) for all ſuch ſum and ſums of money as he or they ſhall have received or expended as aforeſaid.

on refuſal levied by diſtreſs and ſale;

payment to directors, *inforced* 13 & 14 *G.* 3, *c.* 32, *ſ.* 42.

by them to overſeers, as they think proper;

directors at veſtry after next Michaelmas to account on oath.

II. Provided always, that no perſon ſhall have a right to vote at any ſuch veſtry, until he ſhall have firſt taken the following oath, or, if a quaker, his ſolemn affirmation, if deſired by any pariſhioner, which oath or affirmation the ſaid rector, vicar, or officiating curate, is hereby impowered to adminiſter, viz.

Oath, if deſired, to intitle to vote at veſtry of being proteſtant, and worth 20*l.* above debts.

I A. B. do ſwear (or, if a quaker, do ſolemnly affirm) that I am a proteſtant pariſhioner of this pariſh, and that I am worth twenty pounds, over and above all the debts I owe.

III. And be it further enacted by the authority aforeſaid, that in caſe any pariſh or union within the ſaid province of Ulſter ſhall neglect or omit to hold ſuch veſtry and make ſuch preſentment or preſentments as aforeſaid, that from thenceforth, and for and during ſuch year or years as the ſaid pariſh or union ſhall omit or forbear to hold ſuch veſtry, and make ſuch preſentment or preſentments, the ſeveral acts of parliament, which were repealed by the ſaid act, and by virtue whereof the ſix days labour were before the paſſing of ſaid act enforced and applied to the making and repairing of the roads of this kingdom, ſhall, in all ſuch articles and clauſes thereof, or any way related to the ſaid ſix days labour, be in full force within ſaid pariſh or union; and the ſaid ſix days labour ſhall and may be enforced and applied to the making or repairing the roads in the ſaid pariſh or union, according to the proviſions and regulations of ſaid acts, during ſuch time as the ſaid pariſh or union ſhall omit or forbear to hold ſuch veſtry, or make ſuch preſentment or preſentments as aforeſaid; any thing in the ſaid act of the fifth year of his preſent Majeſty's reign in any wiſe to the contrary notwithſtanding.

Where no veſtry held, and no preſentment made, the acts repealed by 5 *G.* 3, *c.* 14, ſhall be in full force as to 6 days labour.

IV. And

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Grand jury in *Ulſter* not appointing collector as by 5 G. 3, c. 14, a warrant by county treaſurer to high conſtable to levy the applotment on his barony with arrears,

levied off the barony, and paid to county treaſurer by firſt of next aſſizes.

IV. And whereas great inconvenience has been felt in the province of Ulſter, from a difficulty in finding collectors duly qualified to collect the publick money, purſuant to an act paſſed in the fifth year of his preſent Majeſty, intituled, *an act for amending the publick roads*, by which great arrears have incurred within ſeveral baronies, to the great interruption and delay of ſuch work; be it therefore enacted by the authority aforeſaid, that as often as the grand jury of any county in the ſaid province of Ulſter ſhall neglect or omit to appoint a collector purſuant to ſaid ſtatute for any barony or baronies in ſaid county, that the treaſurer of ſuch county ſhall iſſue his warrant to the high conſtable of ſuch barony or baronies, requiring him to levy ſuch ſum as ſhall be ceſſed and applotted on the barony within his diſtrict, together with any ſum that may have remained in arrear on ſuch barony by any former neglect of appointing a collector; which warrant the ſaid high conſtable is hereby impowered and required to execute, and to collect and levy the ſum ſo applotted off the barony as aforeſaid, and to pay over the ſame to the treaſurer of the county, on or before the firſt day of the next enſuing aſſizes; and ſuch high conſtable ſhall be allowed for his trouble in collecting the ſame ſixpence in the pound, in like manner as the collectors appointed by grand juries.

fee to conſtable 6d per pound.

CHAP. X.

An act to enable the ſpeaker of the houſe of commons to iſſue his warrants to make out new writs for the choice of members to ſerve in parliament in the room of ſuch members, as ſhall die during the receſs of Parliament.

WHEREAS many inconveniencies have happened, and many diſorders have been occaſioned, for want of more ſpeedy elections of members of the houſe of commons in the room of ſuch, who have died during the receſs of parliament; for remedy whereof be it enacted by the king's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the end of the preſent ſeſſion of parliament it ſhall and may be lawful for the ſpeaker of the houſe of commons for the time being during the receſs of parliament, for more than twenty days, whether by prorogation or adjournment, and he is hereby required,

amended 15 & 16 G. 3. c. 11.

the ſpeaker during receſs above 20 days to iſſue war-

quired, to iſſue his warrants to the clerk of the crown to make out new writs for electing members of the houſe of commons, during ſuch receſs of parliament, upon ſuch notice thereof, and in ſuch manner, as is herein after provided, and not otherwiſe; when the death of ſuch member ſhall have been certified to the ſpeaker of the houſe of commons, for the time being, by any two members thereof by writing under their hands, the ſaid ſpeaker ſhall forthwith after the receipt of ſuch certificate cauſe notice of the death of ſuch member to be inſerted in the Dublin Gazette; and at the end of fourteen days after the ſaid inſertion thereof in ſuch Gazette, the day of ſuch inſertion excluded, the ſpeaker ſhall forthwith iſſue his warrant in manner aforeſaid, unleſs the ſaid houſe of commons ſhall have met again after ſuch prorogation or adjournment before the iſſuing thereof. A. D. 1772.

warrants to crown clerk for new writs to elect members.

the death certified to the ſpeaker by two members under their hands, notice of the death in gazette forthwith, warrant in 14 days after unleſs a previous meeting.

II. Provided always, and be it further enacted by the authority aforeſaid, that nothing herein contained ſhall extend to authorize the ſpeaker of the houſe of commons for the time being to iſſue his warrant to the clerk of the crown to make out a new writ for the electing a new member of the houſe of commons in the room of any member deceaſed, unleſs the return of the writ, by virtue of which ſuch member deceaſed was elected, ſhall have been brought to the office of the clerk of the hanaper fifteen days at the leaſt before the end of the ſeſſion of parliament immediately preceding the death of ſuch member, and no petition ſhall have been preferred, or other queſtion be depending in the houſe of commons touching the validity of ſuch return, or of the election upon which the ſame was made.

Return of the writ by which the deceaſed elected, brought to the hanaper 15 days before the end of the ſeſſion preceding; and no petition or queſtion.

CHAP. XI.

An act to oblige ſhips more effectually to perform their Quarantine, and for the better preventing the plague being brought from foreign parts into Ireland, and to hinder the ſpreading of infection.

WHEREAS the laws heretofore made in this kingdom to oblige ſhips coming from places infected to perform quarantine, and to prevent the plague being brought into and ſpreading in the kingdom of Ireland, are expired, and it is neceſſary, that ſome proviſion be made by parliament for obliging ſhips and perſons, coming from places infected with or frequently ſubject to the plague, to perform quarantine in ſuch

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manner as hath been or ſhall be ordered by his Majeſty, his heirs, or ſucceſſors, and for puniſhing offenders therein in a more effectual manner than can be done by the ordinary methods of law and for preventing the ſpreading of infection, be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that all ſhips and veſſels arriving, and all perſons, goods, and merchandizes whatſoever, coming or imported into any port or place within the kingdom of Ireland from any place, from whence the lord lieutenant or other chief governor or governors of this kingdom by and with the advice of the privy council ſhall judge it probable, that the infection may be brought, ſhall be obliged to make their quarantine in ſuch place and places for ſuch time and in ſuch manner, as hath been or ſhall from time to time be directed by the chief governor or governors of this kingdom for the time being by his or their order or orders made by the advice of the privy council, and notified by proclamation; and that until ſuch ſhips, veſſels, perſons, goods, and merchandizes ſhall have reſpectively performed and be diſcharged from ſuch quarantine, no ſuch perſon, goods and merchandizes, or any of them, ſhall come or be brought on ſhore, or go or be put on board any other ſhip or veſſel in any place within his Majeſty's dominions, unleſs in ſuch caſes, and by ſuch licence as ſhall be directed or permitted by ſuch order or orders, made by the lord lieutenant, or other chief governor or governors, by the advice and conſent of the privy council, and notified as aforeſaid; and that all ſuch ſhips and veſſels, and the perſons or goods coming or imported in, or going and being put on board the ſame, and all ſhips, veſſels, boats, and perſons receiving any goods or perſons out of the ſame, ſhall be ſubject to ſuch orders, rules, and directions concerning quarantine, and the preventing infection, as have been or ſhall be made by the ſaid chief governor or governors of this kingdom in council, and ſhall be notified by proclamation as aforeſaid.

all ſhips, perſons, goods, imported from ſuſpected place, obliged to *Quarantine* as by chief governors and council directed, notified by proclamation.

not landed or reſhipped till diſcharged quarantine, unleſs on licence ſo notified.

ſhips and perſons receiving any goods or perſons thereout ſubject to *Quarantine*.

II. And to the end it may be better known, whether any ſhip or veſſel be actually infected with the plague, or whether ſuch ſhip or veſſel, or the mariners or cargo coming or imported in the ſame, are liable to any orders touching quarantine; be it enacted by the authority aforeſaid, that when any country or place is or ſhall be infected with the plague, and any order or orders is, are, or ſhall be made by the lord lieutenant or other

other chief governor or governors of this kingdom and council, concerning quarantine, and the prevention of infection, and notified as aforeſaid, as often as any ſhip or veſſel ſhall attempt to enter into any port or place in this kingdom of Ireland, the principal officer of his Majeſty's cuſtoms in ſuch port or place, or ſuch perſon as ſhall be authorized to ſee quarantine duly performed, ſhall go off, or cauſe ſome other perſon, to be by him appointed for that purpoſe, to go off to ſuch ſhip or veſſel, and ſuch officer or other perſon authorized to ſee quarantine performed as aforeſaid, or the perſon ſo by him appointed for that purpoſe, ſhall at a convenient diſtance from ſuch ſhip or veſſel demand of the commander, maſter or other perſon having charge, of ſuch ſhip or veſſel, and ſuch commander, maſter, or other perſon having charge of ſuch ſhip or veſſel, ſhall upon ſuch demand give a true account of the following particulars, (that is to ſay) the name of ſuch ſhip or veſſel; the name of the commander or perſon having charge thereof; at what place or places the cargo and every part of it was taken on board; what place or places the ſhip or veſſel touched at in her voyage; whether ſuch places, or any and which of them were infected with the plague; how long ſuch ſhip or veſſel had been in her paſſage; how many perſons were on board, when the ſaid ſhip or veſſel ſet ſail; whether any and what perſons during that voyage on board ſuch ſhip or veſſel had been or ſhall be then infected with the plague; how many died in the voyage, and of what diſtemper; what ſhips or veſſels he or any of his ſhip's company with his privity went on board, or had any of their company come on board his ſhip or veſſel in the voyage, and to what place ſuch ſhips or veſſels belonged, and alſo the true contents of his lading to the beſt of his knowledge: and in caſe it ſhall appear upon ſuch examination or otherwiſe, that any perſon, then on board ſuch ſhip or veſſel, ſhall at the time of ſuch examination be actually infected with the plague, or that ſuch ſhip or veſſel is obliged to perform quarantine, in ſuch caſe it ſhall and may by lawful to and for the officers of any of his Majeſty's ſhips of war, or any of his Majeſty's forts or garriſons, and all other his Majeſty's officers whom it may concern, upon notice thereof given to them or any of them reſpectively, and to and for any other perſon or perſons whom they ſhall call to their aid and aſſiſtance, and they are hereby required, to oblige ſuch ſhip or veſſel to go and repair to ſuch place, as hath been or ſhall be appointed for performance of quarantine, and to uſe all

on ſhips attempting to enter a port; the officer at convenient diſtance to interrogate the commander, who ſhall give a true account as to the veſſel, lading, crew, paſſage, &c.

if the ſhip infected, or obliged to *Quarantine*, all officers and perſons aſſiſting may uſe any violence to compel to repair to place appointed.

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all neceſſary means for that purpoſe, be it by firing of guns upon ſuch ſhip or veſſel, or any other kind of force or violence whatſoever; and in caſe any ſuch ſhip or veſſel ſhall come from any place viſited with the plague, or have any perſon on board actually infected, and the commander, maſter, or other perſon having charge of ſuch ſhip or veſſel, ſhall conceal the ſame, ſuch commander, maſter, or other perſon having charge of ſuch ſhip or veſſel, ſhall be adjudged guilty of felony, and ſuffer death as in caſes of felony without the benefit of clergy; and in caſe ſuch commander, maſter, or other perſon having charge of ſuch ſhip or veſſel, ſhall, upon ſuch demand made as aforeſaid, not make a true diſcovery in any other of the particulars aforeſaid, ſuch commander, maſter, or other perſon having charge of ſuch ſhip or veſſel, for every ſuch offence ſhall forfeit the ſum of two hundred pounds, one moiety thereof to the King, his heirs and ſucceſſors, and the other moiety to him or them who will ſue for the ſame by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin.

maſter concealing infection, or his coming from infected place, felony, death,

not truly diſcovering other particulars, penalty 200l. to King and proſecutor.

III. And be it further enacted by the authority aforeſaid, that if any commander, maſter, or other perſon having charge of any ſhip or veſſel liable to perform quarantine, having notice thereof, ſhall himſelf quit, or ſhall knowingly permit or ſuffer any ſeaman or paſſenger coming in ſuch ſhip or veſſel, to quit, ſuch ſhip or veſſel, by going on ſhore, or by going on board any other ſhip, boat, or veſſel, before ſuch quarantine ſhall be fully performed, unleſs in ſuch caſes, and by ſuch proper licence, as ſhall be directed or permitted by ſuch order or orders, made or to be made concerning quarantine, and the prevention of infection, and notified as aforeſaid; or in caſe any commander, maſter, or other perſon having charge of ſuch ſhip or veſſel, ſhall not, within convenient time after due notice given for that purpoſe by the proper officer, cauſe ſuch ſhip or veſſel, and the lading thereof, to be conveyed into the place or places appointed for ſuch ſhip, veſſel, and lading, to perform quarantine reſpectively, then and in every ſuch caſe every ſuch commander, maſter, or other perſon having charge of ſuch ſhip or veſſel, for every ſuch offence ſhall forfeit the ſum of five hundred pounds, one moiety thereof to the king, his heirs and ſucceſſors, and the other moiety to him or them who ſhall ſue for the ſame; and alſo if any perſon ſhall ſo quit ſuch ſhip or veſſel by going on ſhore, or by going on board any other ſhip or veſſel, contrary to the true meaning of this act, it

Quitting ſhip, or ſuffering others, before *Quarantine* performed, unleſs licence, or not repairing to place appointed in due time, penalty 500l.

all perſons may uſe force to compel return to the ſhip.

it ſhall and may be lawful for all perſons whatſoever by force or violence to compel ſuch perſon to return on board ſuch ſhip or veſſel, and every ſuch perſon, ſo quitting ſuch ſhip or veſſel, ſhall for every ſuch offence ſuffer impriſonment for the ſpace of ſix months, and ſhall alſo forfeit the ſum of two hundred pounds, one moiety to the king, his heirs, or ſucceſſors, and the other moiety to him or them who will ſue for the ſame; the ſame reſpective penalties and forfeitures to be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at Dublin.

the penalty 6 months impriſonment and 200*l.*

IV. And be it further enacted by the authority aforeſaid, that when any country or place is or ſhall be infected with the plague, it ſhall and may be lawful to and for the lord lieutenant, or other chief governor or governors of this kingdom, by and with the advice of the privy council, to order ſhips to be provided, or to cauſe houſes or lazarets for the receiving and entertaining of perſons obliged to perform quarantine as aforeſaid, during ſuch time as they ſhall continue infected, or until they ſhall have performed ſuch quarantine reſpectively; and alſo ſheds, tents, and other places proper for the depoſiting, opening, and airing of goods and merchandizes comprized within any ſuch order or orders, made or to be made and notified as aforeſaid, to be provided or erected to continue for ſuch time or term as the ſaid chief governor or governors of this kingdom ſhall think proper, and direct in convenient places within any part of Ireland, to be allowed and approved by two or more neighbouring juſtices of the peace for the county, where the ſame ſhall reſpectively lye, under their hands and ſeals, either in waſte grounds or commons, or where ſuch waſte grounds or commons are not ſufficient, in the ſeveral grounds of any perſon or perſons whatſoever, not being a houſe, park, garden, orchard, yard, or planted walk, or avenue to an houſe, paying ſuch rate, rent, or conſideration for the ſame to the perſons intereſted therein reſpectively, according to their ſeveral intereſts in the ſame, as ſhall be agreed on between the perſons ſo intereſted, their guardians or truſtees, and any two perſons to be appointed for that purpoſe, by the lord lieutenant, or other chief governor or governors of this kingdom; and in caſe of any difference concerning ſuch rate, rent, or conſideration, between the perſons ſo intereſted, their guardians or truſtees, and ſuch perſons ſo to be appointed by the ſaid chief governor or governors, as aforeſaid, the juſtices of the peace at the next general quarter ſeſſions of the peace, to be held for ſuch county, wherein ſuch ground ſhall lye, ſhall

Ships or lazarets provided for quarantine till performed,

and ſheds or tents for depoſiting or airing the goods, in convenient places approved by two juſtices under hand and ſeal, in waſte or commons,

if not ſufficient, in any perſon's grounds (except houſes, parks, &c.) making ſatisfaction, as agreed,

any difference finally ſettled by jury at ſeſſions.

and may order the ſheriff to impannel a jury, and upon the verdict of ſuch jury adjudge, determine, aſſeſs, and ſettle the ſame; and ſuch judgment and determination ſhall be final, and his Majeſty, his heirs, and ſucceſſors, ſhall and may hold and enjoy ſuch ground for and during all ſuch time and term, as the ſaid lord lieutenant or other chief governor or governors of this kingdom ſhall judge neceſſary for the purpoſes aforeſaid, paying for the ſame ſuch rate, rent, or other conſideration, as ſhall be agreed upon, or aſſeſſed, and judged as aforeſaid.

Proper officers to compel performance of orders notified.

V. And be it further enacted by the authority aforeſaid, that the proper officers authorized to put in execution ſuch orders, made or to be made and notified as aforeſaid, ſhall, and they are hereby impowered and required, to cauſe and compel all perſons obliged to perform quarantine as aforeſaid, and all goods and merchandizes comprized within any ſuch orders made, or to be made, and notified as aforeſaid, reſpectively to repair or be conveyed to ſome of the ſaid ſhips, houſes, or lazarets, ſheds, tents, or other places, provided as aforeſaid, according to ſuch order or orders made, or to be made, and notified as aforeſaid.

Not performing quarantine after due notice,

eſcaping, or attempting it,

watchmen &c. may by requiſite violence compel,

VI. And be it further enacted by the authority aforeſaid, that if any perſon, obliged to perform quarantine as aforeſaid, ſhall wilfully refuſe or neglect to repair within convenient time after due notice, for that purpoſe given to him, her, or them, by the proper officer, to the ſhip, houſe, lazaret, or other place, duly appointed for him, her, or them, or having been placed in ſuch ſhip, houſe, or lazaret, or other place, ſhall eſcape, or attempt to eſcape, out of the ſame, before quarantine fully performed, it ſhall and may be lawful to and for the watchmen, and other perſons appointed to ſee quarantine duly performed, by any kind of violence, that the caſe ſhall require, to compel every ſuch perſon ſo refuſing or neglecting as aforeſaid, and every ſuch perſon ſo eſcaping, or attempting to eſcape as aforeſaid, to repair or return into ſuch ſhip, houſe, lazaret, or other place, ſo appointed for him or her as aforeſaid; and every ſuch perſon ſo refuſing or neglecting to repair within convenient time after ſuch notice, as aforeſaid, into ſuch ſhip, houſe, lazaret, or other place, appointed for him or her, as aforeſaid and alſo every perſon actually eſcaping, as aforeſaid, ſhall be adjudged guilty of felony, and ſhall ſuffer death as a felon without benefit of clergy.

refuſing after convenient time, or actual eſcape,

felony, death.

All liable to quarantine ſubject to orders from pro-

VII. And whereas diſobedience or refractory behaviour in perſons under quarantine may be attended with great danger and inconvenience; be it enacted by the authority aforeſaid, that

all perſons liable to perform quarantine, whether in ſhips, houſes, lazarets, or elſewhere, ſhall be ſubject during the ſaid quarantine to ſuch orders, as they ſhall receive from the proper officers authorized to ſee it duly performed; and the ſaid officers are hereby impowered and required to enforce all neceſſary obedience to their ſaid orders, and may in caſe of neceſſity call in others to their aſſiſtance, and all perſons ſo called are hereby required to aſſiſt accordingly.

Perſons liable to perform quarantine, &c. to obey proper officers, inforced by calling aſſiſtance if neceſſary, required to aſſiſt.

VIII. And be it further enacted by the authority aforeſaid, that if any perſon not infected with the plague, nor liable to perform quarantine, ſhall preſume to enter any ſhip, houſe, lazaret, or other place, ſo appointed as aforeſaid, whilſt any perſon or perſons infected with the plague, or being under quarantine, ſhall be therein, and ſhall return, or attempt to return, from thence, unleſs in ſuch caſes and by ſuch licence, as ſhall be directed or permitted by ſuch order or orders, made, or to be made, and notified as aforeſaid, it ſhall and may be lawful to and for the watchmen, or other perſons appointed to guard or ſecure ſuch ſhip, houſe, lazaret, or other place, ſo appointed as aforeſaid, by any kind of violence, that the caſe ſhall require, to compel ſuch perſon ſo returning, or attempting to return, to repair into ſome ſhip, houſe, lazaret, or other place, ſo appointed as aforeſaid, there to continue and perform quarantine; and in caſe ſuch perſon ſhall actually eſcape out of ſuch ſhip, houſe, lazaret, or other place, where he or ſhe ſhall be ſo placed for performance of quarantine, before he or ſhe ſhall have fully performed the ſame, he or ſhe ſhall be adjudged guilty of felony, and ſhall ſuffer death as a felon without the benefit of clergy.

Perſons not infected entering any lazaret &c. and attempting to return without licence, may be compelled to perform quarantine,

eſcaping, felony, death.

IX. And be it further enacted by the authority aforeſaid, that if any officer or officers of his Majeſty's cuſtoms, or any officer or officers, perſon or perſons, whatſoever, to whom it doth or ſhall appertain to execute or aſſiſt in executing any order or orders, made or to be made concerning quarantine, or the prevention of infection, and notified as aforeſaid, or to ſee the ſame put in execution, ſhall be guilty of any wilful breach or neglect of his or their duty in that behalf, every ſuch officer and perſon ſo offending ſhall forfeit his office or employment in the cuſtoms, or other office or employment, and ſhall from thenceforth become incapable to hold and enjoy the ſame, or to take a new grant thereof, and ſhall alſo forfeit the ſum of one hundred pounds, one moiety thereof to the king, his heirs and ſucceſſors, and the other moiety to him or them who ſhall or will ſue for the ſame by action of debt, bill, plaint, or information, in any of

Officers on neglect forfeit employment, and 100*l.* to K. and proſecutor,

embezzling or damaging the goods, treble damages and full coſt.

of his Majeſty's courts of record at Dublin; and if any ſuch officer or perſon ſhall embezzle, or ſhall knowingly and willingly damage, any goods performing quarantine under his direction, he ſhall be liable to pay treble damages and full coſt of ſuit.

Goods liable to infection,

X. And whereas cotton, ſkins, human hair, and certain other ſpecies of goods and merchandizes, are more eſpecially liable to certain infection, and may be brought from places infected into other countries, and from thence imported into his Majeſty's dominions in ſhips not obliged to perform quarantine; be it enacted by the authority aforeſaid, that when any foreign country or place is or ſhall be infected with the plague, all ſuch goods and merchandizes, as are or ſhall be particularly ſpecified for that purpoſe in any order or orders, made or to be made concerning quarantine, and the prevention of infection, and notified as aforeſaid, which ſhall be imported into any part of the kingdom of Ireland from any foreign country or place in any ſhip or veſſel whatſoever, ſhall be ſubject and liable to ſuch order or orders made or to be made concerning quarantine, and the prevention of infection, and notified as aforeſaid.

all goods ſpecified in orders notified, if imported from any foreign place, liable to quarantine.

On proof on oath and certificate of due performance, the ſhip and perſons diſcharged,

XI. And be it further enacted by the authority aforeſaid, that after quarantine ſhall have been duly performed by any ſhip or veſſel, perſon or perſons, obliged to perform quarantine according to ſuch order or orders, made or to be made, and notified as aforeſaid, and this act, and upon proof to be made by the oaths of the maſter, or other perſon having charge of ſuch ſhip or veſſel, and of two of the perſons belonging to ſuch ſhip or veſſel, or upon proof to be made by the oaths of two or more credible witneſſes before the cuſtomer, comptroller or collector of the port, where ſuch quarantine ſhall be performed, or the next port thereunto, or before any of their deputies, or any juſtice of peace living near to ſuch port, or when ſuch quarantine ſhall have been performed within this kingdom (which perſons are hereby authorized and required to adminiſter ſuch oath) that ſuch ſhip or veſſel, and all and every ſuch perſon and perſons reſpectively, have duly performed quarantine as aforeſaid, and that the ſhip or veſſel, and all and every ſuch perſon and perſons, are free from infection, then, and in the ſaid reſpective caſes, ſuch cuſtomer, comptroller, or collector, or any of their deputies, together with the ſaid juſtice of the peace as aforeſaid, reſpectively are hereby required to give a certificate thereof, and thereupon ſuch ſhip or veſſel, and all and every ſuch perſon and perſons ſo having performed quarantine, ſhall be liable to no further reſtraint or detention upon

upon the ſame account, for which ſuch ſhip or veſſel, perſon or perſons, ſhall have performed quarantine as aforeſaid. A. D. 1772. Chap. 11.

XII. And be it further enacted by the authority aforeſaid, that the officer, before whom ſuch oath ſhall be made, and by whom ſuch certificate ſhall be given, ſhall for ſuch reſpective oath and certificate demand or take no fee or reward whatſoever. No fee on ſaid oath or certificate.

XIII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, that all goods, wares, and merchandizes, imported in any ſhip or veſſel coming from a place infected, or on board which any perſon ſhall be found infected, ſhall after quarantine performed be opened and aired in ſuch place or places, and for ſuch time, and in ſuch manner, as ſhall be directed by the lord lieutenant, or other chief governor or governors of this kingdom, by ſuch order or orders to be made and notified as aforeſaid; and after ſuch order ſhall have been duly complied with, and proof ſhall be made thereof by the oaths of two or more credible witneſſes before the cuſtomer, comptroller, or collector of the port lying next to ſuch place or places, where ſuch goods, wares, or merchandizes ſhall have been opened and aired as aforeſaid, or any of their deputies, and any juſtice of the peace living near the ſame, (who are hereby authorized and required to adminiſter ſuch oath) upon certificate and return of ſuch proof by ſuch cuſtomer, comptroller, or collector, or any of their deputies, and ſuch juſtice of the peace as aforeſaid (who are hereby reſpectively required to make ſuch certificate and return to the commiſſioners of his Majeſty's revenue of this kingdom) ſuch goods, wares, and merchandizes ſhall be forthwith diſcharged from any reſtraint or detention on the ſame account by order of the ſaid commiſſioners, or any two of them, for every which oath, certificate, and order, no fee or reward whatſoever ſhall be demanded or taken. goods after performance opened and aired, as by order notified directed, on proof on oath and certificate returned to commiſſioners ſuch goods diſcharged, no fee thereon,

XIV. Provided always, and be it enacted by the authority aforeſaid, that if any officer or other perſon ſhall demand or take any fee or reward whatſoever for any ſuch oath, order, or certificate, to be adminiſtered or made in purſuance of this act, every perſon ſo offending ſhall forfeit the ſum of one hundred pounds, one moiety thereof to his Majeſty, his heirs and ſucceſſors, and the other moiety to him or them who will ſue for the ſame by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at Dublin, in which caſes coſts ſhall be allowed to either party as in other caſes. To demand or take any reward, 100*l.* to King and proſecutor, coſt as uſual.

A. D. 1772. Chap. 11.

Officer or watchman deſerting duty, or permitting conveyance out without licence of perſons or goods,

or knowingly giving falſe certificate.

felony, death.

XV. And be it further enacted by the authority aforeſaid, that if any officer or other perſon, appointed to ſee quarantine duly performed, or any perſon placed or appointed as a watchman upon any ſhip, houſe, lazaret, or other place for performance of quarantine, in purſuance of this act, ſhall deſert from his or their duty when employed on the ſaid buſineſs of quarantine, or ſhall knowingly and willingly permit or ſuffer any perſon, ſhip, goods, or merchandizes, to depart or be conveyed out of ſuch ſhip, houſe, lazaret, or other place reſpectively appointed for performance of quarantine, unleſs in ſuch caſes, and by ſuch licence, as are or ſhall be directed or permitted by ſome order or orders made, or to be made, and notified by proclamation, as aforeſaid, or if any perſon directed as aforeſaid to give a certificate of a ſhip having duly performed her quarantine or airing, ſhall knowingly give a falſe certificate, then, and in every of the ſaid caſes, every ſuch officer, and perſons ſo offending, ſhall be adjudged guilty of felony, and ſhall ſuffer death as in caſes of felony without benefit of clergy.

Or concealing from officers or conveying letters or goods under quarantine.

XVI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall knowingly or wilfully conceal from the officers of quarantine, or ſhall clandeſtinely convey any letters, goods, wares, or merchandizes from any ſhip under quarantine, or liable to perform quarantine, by any ſuch order to be made as aforeſaid, or from any lazaret, or other place, where goods ſhall be performing quarantine, every ſuch perſon ſo offending ſhall ſuffer death as in caſes of felony without benefit of clergy.

running goods in ſmall veſſels dangerous in time of infection,

during which veſſels under 20 tons prohibited by proclamation from ſailing till bond given by the maſter with ſureties in 300l. not to touch at

XVII. And whereas it is notorious, that notwithſtanding the many good laws made to prevent the clandeſtine importation of cuſtomable and prohibited goods and merchandizes, a pernicious trade of that kind is ſtill carried on in open boats or veſſels of ſmall burthen, which privately and in the night put into creeks and ſecret places on the coaſt, thereby eſcaping the obſervation of the officers of the revenue, which practices may prove highly detrimental to the ſafety of this kingdom, during a time of infection; for prevention whereof be it enacted by the authority aforeſaid, that when any part of Ireland, Great Britain, or the iſles of Guernſey, Jerſey, Alderney, Sark, and Man, or any part of France, Spain, Portugal, or the Low Countries, ſhall be infected with the plague, it ſhall and may be lawful to and for the chief governor or governors of this kingdom, for the time being, by his or their proclamation, to prohibit and reſtrain all ſmall boats and veſſels under the burthen

then of twenty tons from ſailing or paſſing out of any port or place of Ireland, until ſecurity be firſt given by the maſter of every ſuch boat or veſſel reſpectively to the ſatisfaction of the principal officer of the cuſtoms, or the chief magiſtrate of the port or place from whence ſuch boat or veſſel ſhall ſail, by bond taken to the king, his heirs or ſucceſſors, with ſufficient ſureties in the penalty of three hundred pounds, with condition that if ſuch boat or veſſel ſhall not go to or touch at any country, port, or place, to be mentioned for that purpoſe in ſuch proclamation, and if the maſter, or other perſon, having charge of ſuch boat or veſſel, and all and every mariner and mariners, paſſenger and paſſengers, going in ſuch boat or veſſel, ſhall, during the time aforeſaid, not go on board any other ſhip or veſſel at ſea; and if ſuch maſter or other perſon, having charge of any ſuch boat or veſſel, ſhall not permit any perſon or perſons to come on board ſuch boat or veſſel at ſea, from any other ſhip or veſſel, and ſhall not, during the time aforeſaid, receive any goods and merchandizes whatſoever out of any other ſhip or veſſel, then ſuch bond ſhall be void, or to ſuch effect; for the making of which bond no fee or reward whatſoever ſhall be taken: And in caſe any boat or veſſel, for which ſuch ſecurity ſhall be required by ſuch proclamation, ſhall ſet ſail, or paſs out of any port or place of this kingdom, before ſuch ſecurity be given as aforeſaid, every ſuch boat or veſſel, ſo ſailing or paſſing out of any port or place contrary to the true intent and meaning of this act, together with her tackle, apparel, and furniture, ſhall be forfeited to the king, his heirs and ſucceſſors, and ſhall and may be ſeized, ſued for, and recovered in his Majeſty's court of exchequer at Dublin to the uſe of his Majeſty, his heirs and ſucceſſors; and the maſter of and every mariner ſailing in any ſuch boat or veſſel, being thereof lawfully convicted, upon his or their appearance or default, upon the oath or oaths of one or more credible witneſs or witneſſes, by one or more juſtice or juſtices of the peace, where ſuch offender ſhall be found, (which oath ſuch juſtice or juſtices of the peace are hereby impowered and required to adminiſter) ſhall forfeit the ſum of twenty pounds, one moiety thereof to the informer, and the other moiety to the poor of the pariſh where ſuch offender ſhall be found, the ſame to be levied by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal or hands and ſeals of ſuch juſtice or juſtices, before whom ſuch offenders ſhall be convicted as aforeſaid; and for want of ſufficient diſtreſs every ſuch offender

places in proclamation, nor go on board, or receive perſons or goods from other veſſels at ſea,

no fee thereon,

ſailing before ſuch ſecurity the veſſel forfeited,

and 20l. by the maſter to informer and the poor,

by diſtreſs and ſale,

if none impriſonment 3 months.

A. D. 1772. Chap. 11.

ſhall by ſuch juſtice or juſtices be committed to priſon, there to remain without bail or mainprize for the ſpace of three months.

Proclamation read publickly in churches.

XVIII. And to the end that all perſons may know how to demean themſelves in the premiſſes, be it further enacted by the authority aforeſaid, that when and as often as the lord lieutenant, or other chief governor or governors of this kingdom, ſhall make any order or orders concerning quarantine, and the prevention of infection, and notify the ſame by proclamation as aforeſaid, ſuch proclamation ſhall be publickly read upon the next Sunday after the receipt of the ſame, and the firſt Sunday in every month afterwards, during the time ſuch order ſhall continue in force, immediately after the prayers, in all pariſh churches, and other places ſet apart for divine worſhip, within ſuch counties and places as ſhall be ſpecified for that purpoſe in ſuch proclamation.

Defendants may plead general iſſue, &c.

XIX. And be it further enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this preſent act, the defendant or defendants in ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of the ſaid act; and if it ſhall appear ſo to have been done, and the jury ſhall find for the defendant or defendants, and if the plaintiff ſhall be nonſuited, or diſcontinue his action, after the defendant or defendant ſhall have appeared, or if judgment ſhall have been given upon any verdict or demurrer againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as the defendant or defendants hath or have in other caſes by law.

and treble coſts.

No corruption of blood or forfeiture on attainder.

XX. Provided always, and be it enacted by the authority aforeſaid, that no attainder of felony by virtue of this act ſhall extend to work any corruption of blood, or forfeiture of any goods, chattles, lands, tenements, or hereditaments.

To commence 1 May 1771,

continued 7 years, &c. *further* 7 *years, &c.* 17 & 18 *G.* 3, c. 30.

XXI. And be it further enacted by the authority aforeſaid, that this act, and the ſeveral clauſes and proviſoes therein contained, ſhall commence and take effect from and after the firſt day of May in the year of our lord one thouſand ſeven hundred and ſeventy one, and that the ſame ſhall continue in force for the ſpace of ſeven years, and from thence to the end of the then next ſeſſion of parliament, and no longer.

CHAP.

A. D. 1772.

CHAP. XII.

An act to regulate the trials of controverted elections or returns of members to ſerve in parliament.

Amended 17 & 18. G. 3. c. 26.

WHEREAS the preſent mode of deciſion upon petitions, complaining of undue elections or returns of members to ſerve in parliament, frequently obſtructs public buſineſs, occaſions much expence, trouble, and delay to the parties, is defective for want of thoſe ſanctions and ſolemnities, which are eſtabliſhed by law in other trials, and is attended with many other inconveniencies: for remedy thereof be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that after the twenty-fourth day of June one thouſand ſeven hundred and ſeventy-one whenever a petition, complaining of an undue election or return of a member or members to ſerve in parliament, ſhall be preſented to the houſe of commons, a day and hour ſhall by the ſaid houſe be appointed for taking the ſame into conſideration, and notice thereof in writing ſhall be forthwith given by the ſpeaker to the petitioners and the ſitting members, or their reſpective agents, accompanied with an order to them to attend the houſe at the time appointed by themſelves, their counſel or agents.

When petition of undue election preſented, time appointed by the houſe to conſider it,

notice in writing by the ſpeaker to parties or agents,

with order to attend.

II. Provided always, that no ſuch petition ſhall be taken into conſideration within fourteen days after the commencement of the ſeſſion of parliament, in which it is preſented, nor within fourteen days after the return, to which it relates, ſhall be brought into the office of the clerk of the crown.

Not within 14 days after commencement of the ſeſſion, or after return to the office.

III. Provided alſo, that the houſe may alter the day and hour ſo appointed for taking ſuch petition into conſideration, and appoint ſome ſubſequent day and hour for the ſame, as occaſion ſhall require, giving to the reſpective parties the like notice of ſuch alteration, and order to attend on the ſaid ſubſequent day and hour as aforeſaid.

The time may be altered,

like notice and order.

IV. And be it further enacted by the authority aforeſaid, that at the time appointed for taking ſuch petition into conſideration, and previous to the reading the order of the day for that purpoſe, the ſerjeant at arms ſhall be directed to go with the mace to the places adjacent, and require the immediate attendance of the members on the buſineſs of the houſe, and that after his

If after ſummons 60 not preſent at the time, or if at drawing by lot 37, not ſet aſide or excuſed, not compleated, adjourn'd

return the houſe ſhall be counted, and if there be leſs than ſixty members preſent, or if at the time of drawing by lot the names of the members in the manner hereinafter directed, the number of thirty ſeven members, not ſet aſide nor excuſed, cannot be compleated, the order for taking ſuch petition into conſideration ſhall be immediately adjourned to a particular hour on the following day, (Sunday and Chriſtmas Day always excepted) and on the ſaid following day the houſe ſhall proceed in the ſame manner, and ſo from day to day, till there be an attendance of ſixty members at the reading the order of the day to take ſuch petition into conſideration.

to the next, ſo from day to day, till 60 attend.

V. And be it further enacted by the authority aforeſaid, that if after ſummoning the members, and counting the houſe as aforeſaid, ſixty members ſhall be found to be preſent, the petitioners by themſelves their counſel or agents, and the counſel or agents of the ſitting members, ſhall be ordered to attend at the bar, and then the door of the houſe ſhall be locked, and no member ſhall be ſuffered to enter into or depart from the houſe, until the petitioners, their counſel or agents and the counſel or agents for the ſitting members, ſhall be directed to withdraw, as herein after is mentioned; and when the door ſhall be locked as aforeſaid, the order of the day ſhall be read, and the names of all the members of the houſe written or printed on diſtinct pieces of parchment or paper, being all as near as may be of equal ſize, and rolled up in the ſame manner, ſhall be put in equal numbers, into ſix boxes or glaſſes, to be placed on the table for that purpoſe, and ſhall there be ſhaken together, and then the clerk or clerk aſſiſtant attending the houſe, ſhall publickly draw out of the ſaid ſix boxes or glaſſes alternately the ſaid pieces of parchment or paper, and deliver the ſame to the ſpeaker, to be by him read to the houſe, and ſo ſhall continue to do, until thirty ſeven names of the members then preſent be drawn.

When 60 preſent, parties, counſel, or agents, ordered to the bar,

the door locked,

order read,

37 of thoſe preſent drawn by lot.

VI. Provided always, that if the name of any member, who ſhall have given his vote at the election ſo complained of as aforeſaid, or who ſhall be a petitioner complaining of an undue election or return, or againſt whoſe return a petition ſhall be then depending, or whoſe return ſhall not have been brought in fourteen days, ſhall be drawn, his name ſhall be ſet aſide, with the names of thoſe who are abſent from the houſe.

Names ſet aſide if drawn,

Voters, Petitioners, & *e con.* where return not in 14 days.

VII. Provided alſo, that if the name of any member of ſixty years of age or upwards be drawn, he ſhall be excuſed from ſerving on the ſelect committee to be appointed as hereinafter is

A member ſo excuſed on requeſt and oath.

mentioned, if he require it, and verify the cauſe of ſuch requiſition upon oath.

VIII. Provided alſo, that if the name of any member, who has ſerved in ſuch ſelect committee during the ſame ſeſſion, be drawn, he ſhall, if he requires it, be excuſed from ſerving again in any ſuch ſelect committee, unleſs the houſe ſhall before the day appointed for taking the ſaid petition into conſideration have reſolved, that the number of members, who have not ſerved on ſuch ſelect committee in the ſame ſeſſion, is inſufficient to fulfil the purpoſes of this act reſpecting the choice of ſuch ſelect committee.

Or ſerving the ſame ſeſſion in ſuch committee throughout, unleſs the number not ſerving inſufficient.

IX. Provided always, that no member, who after having been appointed to ſerve in any ſuch ſelect committee, ſhall on account of inability or accident have been excuſed from attending the ſame throughout, ſhall be deemed to have ſerved on any ſuch ſelect committee.

X. And be it further enacted by the authority aforeſaid, that if any other member ſhall offer and verify upon oath any other excuſe, the ſubſtance of the allegations, ſo verified upon oath, ſhall be taken down by the ſaid clerk, in order that the ſame may be afterwards entered on the journals, and the opinion of the houſe ſhall be taken thereon; and if the houſe ſhall reſolve, that the ſaid member is unable to ſerve, or cannot without great and manifeſt detriment ſerve in ſuch ſelect committee, he alſo ſhall be excuſed from ſuch ſervice.

Other excuſe on oath, entered, and opinion of the houſe taken.

XI. And be it further enacted by the authority aforeſaid, that inſtead of the members, ſo ſet aſide and excuſed, the names of other members ſhall be drawn, who may in like manner be ſet aſide or excuſed, and others drawn to ſupply their places, until the whole number of thirty-ſeven members, not liable to be ſo ſet aſide or excuſed, ſhall be compleat; and the petitioners, or their agents, ſhall then name one, and the ſitting members, or their agents, another, from among the members then preſent, whoſe names ſhall not have been drawn, to be added to thoſe who ſhall have been ſo choſen by lot.

Others drawn inſtead, till 37 compleat,

a nominee on each ſide added.

XII. Provided always, that either of the members ſo nominated ſhall or may be ſet aſide for any of the ſame cauſes as thoſe choſen by lot, or ſhall, if he require it, be excuſed from ſerving on the ſaid ſelect committee; and the party, who nominated the member, ſo ſet aſide or excuſed, ſhall nominate another in his ſtead, and ſo continue to do, as often as the caſe ſhall happen, until his nominee is admitted.

Set aſide for ſame cauſes, or excuſed, if required,

another named.

XIII. And

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Door then opened,

lists of the 37 to each side,

parties withdraw immediately with the clerk,

alternately strike off one, till reduced to 13,

delivered to the house by clerk in an hour,

sworn with the nominees, and be a select committee to try the merits,

to meet in 24 hours at a time fixed and place adjacent.

House continued on withdrawing, the 39 not to depart till meeting fixed.

Another drawn in place of a nominee,

XIII. And be it further enacted by the authority aforesaid, that as soon as the said thirty seven members shall have been so chosen by lot, and the two members to be added thereunto shall have been so nominated as aforesaid, the door of the house shall be opened, and the house may proceed upon any other business; and lists of the thirty-seven members, so chosen by lot, shall then be given to the petitioners, their counsel or agents, and the counsel or agents for the sitting members, who shall immediately withdraw, together with the clerk appointed to attend the said select committee; and the said petitioners and sitting members, their counsel or agents, beginning on the part of the petitioners, shall alternately strike off one of the said thirty seven members, until the said number shall be reduced to thirteen; and the said clerk, within one hour at farthest from the time of the parties withdrawing from the house shall deliver into the house the names of the thirteen members then remaining; and the said thirteen members, together with the two members nominated as aforesaid, shall be sworn at the table well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence, and shall be a select committee to try and determine the merits of the return or election appointed by the house to be that day taken into consideration; and the house shall order the said select committee to meet at a certain time to be fixed by the house, which time shall be within twenty-four hours of the appointment of the said select committee, unless a Sunday or Christmas Day shall intervene; and the place of their meeting and sitting shall be some convenient room or place adjacent to the house of commons or court of requests, properly prepared for that purpose.

XIV. Provided always, that on the parties withdrawing as aforesaid the house shall continue sitting; and the said thirty-nine members so chosen and nominated shall not depart the house, till the time for the meeting of the said select committee shall be fixed.

XV. Provided always, and be it enacted by the authority aforesaid, that if upon drawing out the name of any member by lot as aforesaid the said petitioners or sitting members, or their agents, shall declare, that such member is intended to be one of the two nominees, to be nominated by them respectively, and if such member shall consent to such nomination, the name of such member so drawn by lot shall be set aside, and, unless objected to as aforesaid, he shall serve as such nominee,

and

and the name of another member ſhall be drawn to ſupply his place to compleat the number of thirty-ſeven members to be drawn by lot; and if the ſaid petitioners, or ſitting members, or their agents, ſhall not reſpectively nominate a member then preſent, who ſhall be admitted according to the directions of this act, then the want of ſuch nomination ſhall be ſupplied by drawing out inſtead thereof the name of one or two members, as the caſe ſhall require, who ſhall be drawn by lot in the like manner, and ſubject to the like objections and excuſes as the other thirty-ſeven members already drawn by lot, and ſhall be added to the liſts of the ſaid thirty ſeven members, and ſhall be liable to be ſtruck off in the ſame manner, leaving always the number of fifteen members in the whole, and no more, as a ſelect committee for the purpoſes aforeſaid.

want of nomination ſupplied by drawing, ſubject to like objections,

fifteen left in the whole.

XVI. And for the greater diſpatch and certainty in the proceeding herein-before deſcribed, be it enacted by the authority aforeſaid, that the names of all the members, ſo written and rolled up as herein-before directed, ſhall, previous to the day appointed for taking any ſuch petition into conſideration, be prepared by the ſaid clerk or clerk aſſiſtant, and by him put into a box or parcel in the preſence of the ſpeaker, together with an atteſtation ſigned by the ſaid clerk or clerk aſſiſtant, purporting, that the names of all the members were by him put therein the day of in the year which ſaid box or parcel the ſpeaker ſhall ſeal with his own ſeal, and to the outſide thereof ſhall annex an atteſtation, ſigned by himſelf, purporting, that the ſaid box or parcel was on the day of in the year made up in his preſence in the manner directed by this act; and that as ſoon as the parties ſhall be withdrawn as aforeſaid, and before the houſe ſhall enter upon any other buſineſs, any member may require, that the names of all the members, which remain undrawn, ſhall be drawn and read aloud by the ſaid clerk or clerk aſſiſtant.

The clerk previouſly to prepare the members names, put into a box in ſpeaker's preſence, and atteſt it,

ſealed and atteſted by the ſpeaker,

names undrawn may be required to be read.

XVII. And be it further enacted by the authority aforeſaid, that the ſaid ſelect committee ſhall on their meeting elect a chairman from among ſuch of the members thereof, as ſhall have been choſen by lot; and if in the election of a chairman there be an equal number of voices, the member, whoſe name was firſt drawn in the houſe, ſhall have a caſting voice; ſo likewiſe in caſe there ſhould ever be occaſion for electing a new

Chairman elected on meeting, caſting voice to the firſt drawn.

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chairman on the death or neceſſary abſence of the chairman firſt elected.

Committee may ſend for perſons and papers, examine on oath, try merits, determine by majority, or whether the election void, final, entered, and neceſſary directions given.

XVIII. And be it further enacted by the authority aforeſaid, that the ſaid ſelect committee ſhall have power to ſend for perſons, papers, and records, and ſhall examine all the witneſſes, who come before them, upon oath, and ſhall try the merits of the return or election, or both, and ſhall determine by a majority of voices of the ſaid ſelect committee, whether the petitioners, or the ſitting members, or either of them, be duly returned or elected, or whether the election be void; which determination ſhall be final between the parties to all intents and purpoſes; and the houſe on being informed thereof by the chairman of the ſaid ſelect committee ſhall order the ſame to be entered in their journals, and give the neceſſary directions for confirming or altering the return, or for the iſſuing a new writ for a new election, or for carrying the ſaid determination into execution as the caſe may require.

Adjournment not above 24 hours without leave on ſpecial cauſe aſſigned.

XIX. And be it further enacted by the authority aforeſaid, that the ſaid ſelect committee ſhall ſit every day (Sunday and Chriſtmas-day only excepted) and ſhall never adjourn for a longer time than twenty four hours, unleſs a Sunday or Chriſtmas-day intervene, without leave firſt obtained from the houſe upon motion and ſpecial cauſe aſſigned for a longer adjournment; and in caſe the houſe ſhall be ſitting at the time, to which the ſaid ſelect committee is adjourned, then the buſineſs of the houſe ſhall be ſtayed, and a motion ſhall be made for a further adjournment for any time to be fixed by the houſe, not exceeding twenty four hours, unleſs a Sunday or Chriſtmas-day intervene.

Sunday or Chriſtmas excluded

XX. And be it further enacted by the authority aforeſaid, that where the time preſcribed by this act for the meeting, ſitting, or adjournment, of the ſaid ſelect committee, ſhall by the intervention of a Sunday or Chriſtmas-day exceed twenty four hours, ſuch meeting, ſitting, or adjournment, ſhall be within twenty four hours from the time of appointing or fixing the ſame excluſive of ſuch Sunday or Chriſtmas-day.

No abſence without leave, or excuſe on oath allowed, never ſit till all met,

XXI. And be it further enacted by the authority aforeſaid, that no member of the ſaid ſelect committee ſhall be allowed to abſent himſelf from the ſame without leave obtained from the houſe, or an excuſe allowed by the houſe at the next ſitting thereof, on ſpecial cauſe ſhewn and verified upon oath; and the ſaid ſelect committee ſhall never ſit, until all the members, to whom ſuch leave has not been granted, nor excuſe

allowed, are met; and in caſe they ſhall not all meet within one hour after the time, to which the ſaid ſelect committee ſhall have been adjourned, a farther adjournment ſhall be made in the manner as before directed, and reported with the cauſe thereof to the houſe.

if not in one hour, farther adjournment, reported with the cauſe

XXII. And be it further enacted by the authority aforeſaid, that the chairman of the ſaid ſelect committee ſhall at the next meeting of the houſe always report the name of every member thereof, who ſhall have been abſent therefrom without ſuch leave or excuſe as aforeſaid; and ſuch member ſhall be directed to attend the houſe, at the next ſitting thereof, and ſhall then be ordered to be taken into the cuſtody of the ſerjeant at arms attending the houſe for ſuch neglect of his duty, and otherwiſe puniſhed or cenſured at the diſcretion of the houſe, unleſs it ſhall appear to the houſe by facts ſpecially ſtated and verified upon oath, that ſuch member was by a ſudden accident or by neceſſity prevented from attending the ſaid ſelect committee.

Chairman to report abſentees without leave or excuſe.

ordered into cuſtody,

and puniſhed or cenſured,

unleſs ſudden accident or neceſſity on oath.

XXIII. And be it further enacted by the authority aforeſaid, that if more than two members of the ſaid ſelect committee ſhall on any account be abſent therefrom, the ſaid ſelect committee ſhall adjourn in the manner herein-before directed, and ſo from time to time until thirteen members are aſſembled.

If above two on any account abſent, adjourned till thirteen meet.

XXIV. And be it further enacted by the authority aforeſaid, that in caſe the number of members able to attend the ſaid ſelect committee ſhall by death or otherwiſe be unavoidably reduced to leſs than thirteen, and ſhall ſo continue for the ſpace of three ſitting days, the ſaid ſelect committee ſhall be diſſolved, and another choſen to try and determine the matter of ſuch petition in manner aforeſaid; and all the proceedings of the ſaid former ſelect committee ſhall be void and of no effect.

If reduced to leſs than thirteen for three ſitting days diſſolved,

another choſen,

former proceedings void.

XXV. And be it further enacted by the authority aforeſaid, that if the ſaid ſelect committee ſhall come to any reſolution, other than the determination above mentioned, they ſhall, if they think proper, report the ſame to the houſe for their opinion, at the ſame time that the chairman of the ſaid ſelect committee ſhall inform the houſe of ſuch determination, and the houſe may confirm or diſagree with ſuch reſolution, and make ſuch orders thereon, as to them ſhall ſeem proper.

Other reſolutions reported with the determination.

order thereon by the houſe.

XXVI. Provided always, that if any perſon ſummoned by the ſaid ſelect committee ſhall diſobey ſuch ſummons, or if any witneſs

Chairman during proceedings may

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witneſs before ſuch ſelect committee ſhall prevaricate, or ſhall otherwiſe miſbehave in giving or refuſing to give evidence, the chairman of the ſaid ſelect committee by their direction may at any time, during the courſe of their proceedings, report the ſame to the houſe for the interpoſition of their authority or cenſure, as the caſe ſhall require.

report diſobedience to ſummons, or miſbehaviour in evidence.

XXVII. And be it further enacted by the authority aforeſaid, that whenever the ſaid ſelect committee ſhall think it neceſſary to deliberate amongſt themſelves upon any queſtion, which ſhall ariſe in the courſe of the trial, or upon the determination thereof, or upon any reſolution concerning the matter of the petition referred to them as aforeſaid, as ſoon as the ſaid ſelect committee ſhall have heard the evidence and counſel on both ſides relative thereunto, the room or place, wherein they ſhall ſit, ſhall be cleared, if they ſhall think proper, while the members of the ſaid ſelect committee conſider thereof; and all ſuch queſtions, as well as ſuch determination, and all other reſolutions, ſhall be by a majority of voices, and if the voices ſhall be equal, the chairman ſhall have a caſting voice.

Committee may by themſelves deliberate on any queſtion,

by the majority,

caſting voice to chairman.

XXVIII. Provided always, that no ſuch determination as aforeſaid ſhall be made, nor any queſtion be propoſed, unleſs thirteen members ſhall be preſent; and no member ſhall have a vote on ſuch determination, or any other queſtion or reſolution, who has not attended during every ſitting of the ſaid ſelect committee.

13 preſent,

no vote unleſs attending every ſitting.

XXIX. And be it further enacted by the authority aforeſaid, that the oaths, by this act directed to be taken in the houſe, ſhall be adminiſtered by the ſaid clerk or clerk aſſiſtant, in the ſame manner as the oaths of allegiance and ſupremacy are adminiſtered in the houſe of commons; and that the oaths, by this act directed to be taken before the ſaid ſelect commmittee, ſhall be adminiſtered by the clerk attending the ſaid ſelect committee; and that all perſons, who ſhall be guilty of wilful and corrupt perjury in any evidence, which they ſhall give before the houſe or the ſaid ſelect committee, in conſequence of the oath which they ſhall have taken by the direction of this act, ſhall on conviction thereof incur and ſuffer the like pains and penalties, to which any other perſon convicted of wilful and corrupt perjury is liable by the laws and ſtatutes of this realm.

Oaths adminiſtered by the reſpective clerks,

like puniſhment for perjury as by law.

XXX. And be it further enacted, that on the day appointed for taking any petition, complaining of an undue election or return of a member or members to ſerve in parliament, into conſideration,

No buſineſs, ſave ſwearing members, previous to order of the day.

tion, the houſe ſhall not proceed to any other buſineſs whatſoever, except the ſwearing of members, previous to the reading of the order of the day for that purpoſe.

Where the houſe adjourned above three days, committee may adjourn to the ſame to apply or report.

XXXI. And be it further enacted, that if the ſelect committee ſhall have occaſion to apply or report to the houſe in relation to adjournments of the ſaid ſelect committee, the abſence of the members thereof, or the non-attendance or miſbehaviour of witneſſes ſummoned to appear or appearing before them, and the houſe ſhall be then adjourned for more than three days, the ſaid ſelect committee may alſo adjourn to the day appointed for the meeting of the houſe.

Where diſtinct intereſts, ſame notice and orders to parties or agents,

XXXII. And be it further enacted, that if on a complaint by petition of an undue election or return there ſhall be more than two parties before the houſe on diſtinct intereſts, or complaining or complained of upon different grounds, whoſe right to be elected or returned may be affected by the determination of the ſaid ſelect committee, the ſame notices and orders ſhall be given to ſuch parties or their agents, as are directed to be given to the ſitting members or petitioners; and that each of the ſaid parties ſhall ſucceſſively ſtrike off a member from the thirty ſeven members to be choſen by lot, until the ſaid number be reduced to thirteen, and the liſts of the thirty ſeven members choſen by lot ſhall for this purpoſe be given to all the ſaid parties; and the order, in which the ſaid parties ſhall ſo ſtrike off the ſaid members, ſhall be determined by lot, after they are withdrawn from the bar; and in ſuch caſe neither of the ſaid parties there being more than two ſhall be permitted to name a member to be added to the members ſo drawn by lot as aforeſaid, but that as ſoon as the liſt of thirteen members ſhall be returned by the parties to the houſe, ſuch thirteen members ſhall immediately withdraw, and ſhall by themſelves chooſe two members, then preſent in the houſe, whoſe names ſhall not have been drawn, to be added to the ſaid thirteen members, and ſhall within one hour from the time of their withdrawing report the names of ſuch two members to the houſe, which two members ſhall be liable to be ſet aſide on the like objections, for which nominees may be ſet aſide by virtue of this act; and in caſe ſuch two members, or either of them, ſhall be ſet aſide for any the cauſes aforeſaid, then the ſaid thirteen members ſhall chooſe one or two other members, as the caſe ſhall require, until two members are choſen, againſt whom none of the objections to nominees, mentioned in this act, ſhall be taken and allowed; and that ſuch two members, and all the ſaid thirteen members, ſhall be ſworn at the

each ſhall ſucceſſively ſtrike off one from the 37,

liſts of the 37 to all,

but the 13 ſhall nominate two preſent not drawn,

reported in one hour,

liable to like objections as nominees,

if ſet aſide chuſe others,

all ſworn at the table,

and to be the committee.

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the table, and they ſhall be the ſelect committee appointed for the purpoſes expreſſed in this act.

Members preſent at ballot not ot depart till meeting fixed.

XXXIII. And be it further enacted, that when the ſaid nominees are by this act directed to be named by the ſaid thirteen members, no member preſent at the time of the ballot ſhall depart from the houſe, until the time of meeting of the ſaid ſelect committee ſhall be fixed.

Continueed 7 years, &c. *perpetual by* 13 *and* 14 *G.* 3, *c.* 15.

XXXIV. And be it further enacted by the authority aforeſaid, that this act ſhall continue in force ſeven years, and 'till the end of the ſeſſion of parliament next after the expiration of the ſaid ſeven years, and no longer.

CHAP. XIII.

An act for continuing certain laws, heretofore made for the improvement of his Majeſty's revenue, and the more effectual prevention of frauds therein.

WHERAS the ſeveral laws herein after mentioned, made for the improvement of his Majeſty's revenue, and the more effectual prevention of frauds therein, have been found to be of general uſe, but are now near expiring; be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that an act made in the thirty third year of the reign of his late

33 *G.* 2, *c.* 10. Majeſty king George the ſecond, intituled, *An act for the better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the laſt ſeſſion of parliament*, intituled, *An act for continuing and amending ſeveral laws heretofore made, relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued thereby*; and alſo one other act made in the ſecond

2 *G.* 3, *c.* 7. year of his preſent Majeſty's reign, intituled, *An act for continuing and amending an act*, intituled, *An act for the better regulating the collection of his Majeſty's revenue, and for preventing frauds therein; and for repealing an act made the laſt ſeſſion of parliament*, intituled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued*

3 *G.* 3, *c.* 21. *thereby*; and alſo one other act made in the third year of his preſent

preſent Majeſty's reign, intituled, *An act for continuing and amending two ſeveral acts of parliament therein mentioned, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and for other purpoſes therein mentioned*; and alſo one other act made in the ſixth year of his preſent Majeſty's reign, intituled, *An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectual preventing of frauds therein, and for other purpoſes therein mentioned*; and alſo one other act made in the eighth year of his preſent Majeſty's reign, intituled, *An act for the further improvement of his Majeſty's revenue, and for continuing and amending ſeveral acts therein particularly mentioned*, ſhall be and remain in full force until the twenty fourth day of June, in the year one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament, and no longer.

A. D. 1772. Chap. 13.

6 *G.* 3, c. 16

8 *G.* 3, c. 27.

continued to 24 June 1772, &c.

A COL-

A COLLECTION OF STATUTES.

The eleventh and twelfth years of GEORGE III.

CHAP. I.

An act for granting unto his Majeſty an additional duty on the ſeveral commodities, goods, and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns except of the manufacture of Great Britain.

WE your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, having a juſt ſenſe of your royal care for the proſperity of all your ſubjects, and well knowing that the ſecurity of this your realm, and the continuance of the many bleſſings we enjoy under your majeſty's mild and auſpicious reign, depend on the ſupport of your majeſty's government, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fifth day of December, one thouſand ſeven hundred and ſeventy one, until the twenty fifth day of December, which ſhall be in the year one thouſand ſeven hundred and ſeventy three inclusive, and no longer, there ſhall be throughout your majeſty's kingdom of Ireland granted, raiſed, collected, levied, and paid to your Majeſty, your heirs and ſucceſſors, the ſeveral rates, additional duties, and impoſitions herein after mentioned (that

Additional duties from 25 Dec. 1771 to 25 Dec. 1773 inclusive.

(that is to ſay) for and upon every thirty two gallons of beer or ale, above the price of ſix ſhillings the barrel, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately (ſuch gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch) the ſum of two ſhillings to be paid by the common brewer, or by ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame, and ſo proportionably for a greater or leſſer quantity; and for every thirty two gallons of beer or ale, of the price of ſix ſhillings the barrel or under, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons, who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately (each gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch) the ſum of four pence to be paid by the common brewer or ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame, during the time aforeſaid; and ſo proportionably for a greater or leſſer quantity: for every gallon of *aquavitæ*, ſtrong waters, or ſpirits made or diſtilled within this kingdom for ſale, the ſum of four pence to be paid by the firſt maker or diſtiller thereof, during the time aforeſaid; for every pound weight of tobacco, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence half penny; for every yard of muſlin, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of ſix pence; for every yard of all ſorts of ſilks and ſtuffs, made and manufactured in Perſia, China, or the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of one ſhilling and ſix pence; for every ton of wine that ſhall be imported into this kingdom, during the time aforeſaid, the ſum of four pounds; and ſo proportionably for a greater or leſſer quantity: for every gallon of brandy, ſtrong waters, and ſpirits perfectly made, and of ſpirits made and diſtilled of wine not above proof, that ſhall be imported into this kingdom, during the time aforeſaid, the ſum of eight pence; and ſo proportionably for a greater or leſſer quantity: and for every gallon of foreign ſpirits (above the quality of ſingle ſpirits) which ſhall be imported into this kingdom during the time aforeſaid, an additional duty ſhall be paid for ſuch ſpirits, and ſhall be charged thereon, in proportion to the duties payable for ſingle ſpirits of the ſame denomination, according to the comparative degree of ſtrength, which ſuch ſpirits ſo to be imported ſhall bear to ſingle ſpirits of the ſame denomination; for and upon every pound weight of coffee, chocolate, and cocoa nuts, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence; a tax of one ſhilling *per* barrel upon all herrings that ſhall be imported into this kingdom (except Britiſh herrings) during the time aforeſaid; an additional duty of twenty ſhillings ſterling on every hundred weight of molaſſes; an additional duty of twenty ſhillings ſterling on every hundred weight of treacle; an additional duty of ſix pence *per* yard for and upon all foreign ſtuffs called romalls, and all manufactures made of cotton, or of cotton and linen mixed, whether plain, painted, or ſtained, which ſhall be imported into this kingdom during the time aforeſaid from any parts beyond the ſeas (except the manufacture of Great Britain;) an additional duty of ſix pence *per* hide for and upon every raw and untanned hide, which ſhall be exported out of this kingdom to parts beyond the ſeas (except to Great Britain) during the time aforeſaid; an additional duty of one ſhilling for every rheam of writing or printing paper, which ſhall be imported into this kingdom during the time aforeſaid (except of the manufacture of Great Britain); an additional duty of ſix pence *per* yard, over and above the preſent duties, on all damaſk towelling or napkins, made of flax or hemp, imported into this kingdom from foreign parts, or from any other place than Great Britain, during the time aforeſaid, at or under a yard wide, and of one ſhilling *per* yard on all ſuch goods from ſix quarters to eight quarters wide, and of two

beer or ale above 6s. *per* barrel 2s. *per* 32 gallons.

272 inches 1-4th *per* gallon.

of 6s. *per* barrel or under 4d.

Aquavitæ, ſtrong waters, ſpirits, 4d. *per* gallon,

Tobacco 3d. h. *per* pound.

Muſlin 6d. *per* yard.

Silks, ſtuffs of *Perſia*, &c. 1s. and 6d.

Wine 4l. *per* ton.

Brandy, waters, ſpirits perfect, and of wine, not above proof, imported, 8d. *per* gallon.

ſpirits above ſingle charged in proportion to duties for ſingle of ſame denomination,

Coffee, chocolate, cocoa 3d. *per* pound.

herrings, except *Britiſh*, 1s. *per* barrel,

Molaſſes, treacle, 20s. *per* hundred.

Romalls, cottons, except *Britiſh*, 6d. *per* yard.

raw hides, except to *Britain*, 6d.

paper, except *Britiſh*, 1s. *per* rheam.

Towelling, except *Britiſh*, 6 *per* yard,

from 6 *to* 8 quarters wide, 1s.

from 11 to 32, 2s.

ſhillings *per* yard on all ſuch goods from eleven quarters to twelve quarters wide.

above all duties by 14 and 15 C. 2. c. 8 & 9.

II. And be it further enacted by the authority aforeſaid, that all and ſingular the ſaid duties and impoſitions hereby granted ſhall be raiſed, levied, collected, and paid unto your Majeſty, your heirs and ſucceſſors, during the time aforeſaid, over and above all other duties payable for the ſame by virtue of an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, intituled, *an act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act, made in the fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, intituled, *an act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland according to the book of rates hereunto annexed.*

Drawback for wines, ſtrong waters, ſpirits, on certificate, in one month after demand.

12 months to ſtrangers, ſubjects 24.

III. Provided always, and be it further enacted by the authority aforeſaid, that if the ſaid wines, ſtrong waters, ſpirits perfectly made, and ſpirits made and diſtilled of wine and brandy, or ſpirits, above the quality of ſingle ſpirits upon which the ſaid additional duties are charged, ſhall after payment thereof, or ſecurity given for the ſame, be again exported by any merchant or merchants, that is or are a ſubject or ſubjects of this realm, or any other of your Majeſty's dominions, within twenty four calendar months, or by merchant ſtrangers within twelve calendar months, after the importation thereof, and due proof firſt made by certificate from the proper officer of the due entry of ſuch wine, ſtrong waters, ſpirits perfectly made, and ſpirits made and diſtilled of wine, brandy, or ſpirits above the quality of ſingle ſpirits, and of the payment of the ſaid additional duties hereby granted and charged thereon, or ſecurity being given for the ſame, and that all other requiſites have been performed, which are by law required to be performed, in caſes where the duties of exciſe are to be repaid by virtue of the before mentioned act, intituled, *an act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; that then the ſaid additional duty ſhall without any delay or reward, if the ſame ſhall have been paid, be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame, within one month after demand thereof; or if the ſame ſhall not have been paid, the ſecurity for the ſaid additional duties by this act charged ſhall be vacated or diſcharged, as to ſo much thereof as ſhall be ſo exported; any thing herein contained to the contrary notwithſtanding.

Duties on coffee, &c. to linen manufacture.

IV. And be it further enacted by the authority aforeſaid, that the additional rates and duties hereby granted and impoſed on coffee, chocolate, and cocoa nuts, and all money ariſing thereby, ſhall be paid to the truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, to be by them applied to encourage and ſupport the ſaid manufactures, and the trade thereof, in this kingdm; and that the ſaid additional duties on raw and untanned hides, and all money ariſing thereby, ſhall be paid to the ſaid truſtees, to be by them applied towards encouraging the raiſing of flax-ſeed in this kingdom.

on hides to raiſing flax ſeed.

All ſaid duties levied as by 14 and 15 C. 2. c. 8. or exciſe laws with like appeal.

V. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid unto your Majeſty, your heirs and ſucceſſors, during the term aforeſaid, at the ſame time, in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, intituled, *an act for the ſettling the exciſe or new impoſt upon his majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and

A. D. 1771-2. Chap. 1.

and purpoſes, as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe, is provided.

Fees accounted for as a further aid.

VI. And be it further enacted by the authority aforeſaid, that the ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice-treaſurer or vice treaſurers, paymaſter or receiver general, of this kingdom, upon iſſuing or payment of any ſum or ſums of money which ſhall or may ariſe out of the aids granted this ſeſſion of parliament, or upon iſſuing or payment of any ſum or ſums of money which ſhall or may be borrowed purſuant to any act of parliament, or vote of credit this ſeſſion of parliament, ſhall be received by the ſaid vice treaſurer or vice treaſurers, receiver or paymaſter general, for the uſe of your Majeſty, your heirs and ſucceſſors, during the term aforeſaid, and ſhall be duly accounted for by him or them to your Majeſty, your heirs and ſucceſſors, as a further and additional aid hereby given and granted.

Sums payable out of ſaid duties.

VII. And be it further enacted by the authority aforeſaid, that the ſeveral ſums, herein after mentioned, be paid out of the aforeſaid additional duties and aids granted to your Majeſty by this preſent act to the perſons and for the purpoſes herein after mentioned, (that is to ſay) the ſum of two thouſand pounds *per annum* for two years from the twenty fifth day of December, one thouſand ſeven hundred and ſeventy one, to the twenty-fifth day of December, one thouſand ſeven hundred and ſeventy-three incluſive, to the truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, to encourage the raiſing ſufficient quantites of hemp and flax in this kingdom; and alſo the further ſum of two thouſand pounds *per annum* for two years from the twenty fifth day of December one thouſand ſeven hundred and ſeventy one, to the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three incluſive, to the ſaid truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, for the encouragement of the ſaid hempen and flaxen manufactures in the provinces of *Leinſter*, *Munſter*, and *Connaught*; and that the ſaid ſeveral ſums, ſo granted to the ſaid truſtees of the flaxen and hempen manufactures, be freed and diſcharged from the payment of ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general, of this kingdom, clerk of the pells, or any other officer or officers of this kingdom; the ſum of four thouſand pounds to the right honourable the ſpeaker of the houſe of commons to enable him to maintain the ſtate and dignity of his office; the ſum of five hundred pounds to Agmondiſham Veſey, eſquire, accomptant general, as a reward for his expence and trouble in preparing and ſtating the public accounts of the nation, laid before the houſe of commons this ſeſſion of parliament; the ſum of three hundred pounds to Henry Gore, eſquire, as a reward for his expence and trouble in preparing and making out the account of the imports and exports for two years ended the twenty fifth day of March one thouſand ſeven hundred and ſeventy one, purſuant to the order of the houſe of commons; the ſum of five hundred pounds to Edward Sterling and Henry Alcock, eſquires, clerks of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament; the ſum of two hundred pounds to Thomas Kirby, clerk aſſiſtant, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of eight hundred pounds to Dixie Coddington, eſquire, ſerjeant at arms, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of three hundred and fifty pounds to Benjamin Higgins and James Brown, the clerks attending the committee of accounts and other committees of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of one hundred and twelve pounds to Abraham Bradley, for printing the publick accounts laid before the houſe of commons this ſeſſion of parliament; the ſum of fifty pounds to Hulton Bradley,

as a reward for his trouble and attendance in delivering the votes to the members of the houſe of commons this ſeſſion of parliament; the ſum of one hundred pounds to Arthur Harper and James Mc Cowan, door-keepers to the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of two hundred pounds to the right honourable the ſpeaker of the houſe of commons, to be by him divided amongſt the back-door-keepers and meſſengers, attending the houſe of commons, being thirteen in number, in ſuch manner as he ſhall direct; the ſum of two hundred pounds to Mr. John Witherall, as a reward for his extraordinary trouble in making up the accounts laid before parliament, and attending the houſe of commons during ſeveral ſeſſions; the ſum of two hundred pounds to William Horton, eſquire, examinator of the corn premiums, on account of the great increaſe of his trouble in examining and keeping accounts of the premiums paid for inland-carriage of corn, meal, and flour, and of the premiums paid for corn carried coaſt-ways, in the two years ended at lady day one thouſand ſeven hundred and ſeventy one; the ſum of three hundred pounds to the ſaid William Horton, eſquire, for preparing copies of the public accounts for the preſs, comparing and correcting the printed copies which were printed under his direction, and for having the ſaid printed accounts ready to be delivered to the members of this houſe this ſeſſion of parliament much earlier than they could have been in the ordinary courſe; the ſum of fifty pounds to Mr. Benjamin Higgins for his extraordinary trouble during his attendance on the committee of accounts, and in drawing the ſeveral ſchedules annexed to the report of the ſaid committee this ſeſſion of parliament; the ſum of ſix hundred pounds to Mrs. Mary Smyth, in conſideration of the extraordinary attendance, care, and expence of her late huſband James Smyth, eſquire, deceaſed, in the office of paymaſter of the corn premiums, during the two years ended Michaelmas one thouſand ſeven hundred and ſeventy one; the ſum of one hundred pounds to Henry Smyth, deputy paymaſter of the corn premiums, in conſideration of his trouble in that office ſince the year one thouſand ſeven hundred and fifty eight; the ſum of fifteen thouſand pounds to the Incorporated ſociety for promoting Engliſh proteſtant ſchools in Ireland; the ſum of ten thouſand ſix hundred and ſixteen pounds to the governors of the Work-houſe, to be by them applied to diſcharge the debts contracted on account of that charity; the ſum of ten thouſand pounds to the Dublin ſociety for the improvement of huſbandry, and other uſeful arts in Ireland, and to enable them to continue premiums for the encouragement of agriculture, arts, and manufactures, and to pay the ſum of ſixty pounds a year heretofore intended by the houſe of commons to be granted to the reverend doctor Chaigneau, ſecretary to the Dublin ſociety, for his trouble in receiving and ranging the claims and affidavits of the ſeveral perſons intitled to premiums for preſerving corn on ſtands purſuant to act of parliament, to be paid to him to and for the firſt day of November, one thouſand ſeven hundred and ſeventy one; the ſum of two thouſand pounds to William Bury, William Lyndon, Luke Mercer, George Simpſon, Theophilus Thompſon, and David Burleigh eſquires, and captain William Barton, or any three of them, for the uſe of the Marine Nurſery, and to finiſh their building, to be accounted for to parliament; the ſum of two thouſand pounds to the mayor and ſheriffs of the city of Cork, and the other truſtees appointed by act of parliament for carrying on the improvement of Cork harbour; the ſum of five thouſand pounds to the lord mayor, Sheriffs, commons and citizens of the city of Dublin, towards paying off the debts by them contracted in carrying on the Ballaſt-office wall; the ſum of ſix hundred and ninety pounds fifteen ſhillings to the right honourable Francis Andrews and Hugh Hill, eſquires, for finiſhing and compleating the quay of Derry purſuant to a plan formerly laid before the houſe of commons; the ſum of two thouſand pounds to Sir Lucius O'Brien, baronet, Walter Huſſey and Arthur Pomeroy, eſquires,

towards diſcharging the debts incurred by the company of ſubſcribers in carrying on the Grand Canal; the ſum of one thouſand five hundred pounds to the corporation for promoting and carrying on an inland navigation in Ireland towards compleating the navigation from Newry to Drumglaſs colliery in the county of Tyrone; the ſum of eight hundred pounds to George Winſtanley, eſquire, in part payment of the ſum of one thouſand ſix hundred and twelve pounds, awarded to him by a jury in January one thouſand ſeven hundred and ſixty five for his intereſt in certain ground and houſes ſituate at the north end of the Old Bridge, Dublin; the ſum of three hundred and ninety three pounds five ſhillings to doctor Achmet to enable him to carry into execution the ſyſtem of baths which he has begun in the city of Dublin, and that the members for the ſaid city and the lord mayor for the time being be appointed commiſſioners to ſuperintend the expenditure of ſaid ſum; the ſum of four hundred pounds to Abraham Bradley, printer to the houſe of commons, the coſts of nineteen ſets of the journals of the houſe of commons in thirteen volumes, with the appendix and index, delivered by him purſuant to an order of the houſe of commons; the ſum of four hundred and thirty ſeven pounds five ſhillings and nine pence to the executors of the late Boulter Grierſon, his Majeſty's printer, being the coſt of printing and binding twenty three ſets of the ſtatutes at large in nine volumes, delivered purſuant to an order of the houſe of commons; all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers, receiver general or receivers general, of this kingdom without any further or other warrant to be ſued for, had, or obtained in that behalf.

Sums appropriated to hemp and flax applied to no other purpoſe,

VIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one the ſeveral ſums granted by this act, or any other act of parliament now in force in this kingdom, and appropriated to encourage the raiſing ſufficient quantities of flax and hemp in this kingdom, and for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and that a ſeparate and diſtinct account ſhall be kept by the proper officer of the application thereof, and to be laid before parliament.

ſeparate accounts thereof, and laid before parliament.

Tax on herrings to Dublin Society for north weſt fiſheries.

IX. And be it further enacted by the authority aforeſaid, that the ſaid tax of one ſhilling *per* barrel, hereby granted and impoſed upon all herrings imported into this kingdom, be paid to the Dublin Society, to be by them applied to the encouragement of the fiſheries in the north weſt parts of this kingdom.

Drawback on herrings re-exported in nine months.

X. Provided always, in caſe any herrings ſo imported ſhall be re-exported within nine calendar months after ſuch importation, that the duties hereby impoſed, paid on ſuch importation, ſhall be repaid to and drawn back by the exporter or exporters of the ſame.

Lace, cambrick, lawns, imported, except *Britiſh*, forfeited, and treble value, the ſhip, &c.

XI. And be it further enacted by the authority aforeſaid, that no gold or ſilver lace, cambricks or lawns, whatſoever, (except of the manufacture of Great Britain) ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy one be imported into this kingdom in any ſhip or veſſel whatſoever, under the penalty of the forfeiture of all ſuch lace, cambricks, and lawns, and treble the value thereof, and the ſhip or veſſel in which the ſame ſhall be imported, with all her guns, tackle, furniture, ammunition, and apparel; one moiety of which forfeitures ſhall be and remain to your Majeſty, your heirs and ſucceſſors, and the other moiety to him or them who ſhall ſeize and ſue for the ſame by action, bill, plaint, or information in the court of exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea ſhall be allowed.

to king and proſecutor.

12839l. 4s. granted in 1769 for a militia for two years to 24 June 1772,

XII. Whereas a ſum of twelve thouſand eight hundred and thirty nine pounds four ſhillings was granted to your Majeſty in the bill of ſupply, which paſſed in one thouſand ſeven hundred and ſixty nine, for the ſupport of a militia in this

this kingdom, for two years, from the twenty fourth day of June one thouſand ſevenhundred and ſeventy to the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and the further ſum of ſeven thouſand nine hundred and ninety two pounds for cloathing the ſame; which ſaid ſeveral ſums have not been applied; be it enacted by the authority aforeſaid, that the ſaid ſums be applied to the maintaining a militia in this kingdom for two years, from the twenty fourth of June one thouſand ſeven hundred and ſeventy two to the twenty fourth of June one thouſand ſeven hundred and ſeventy four, in ſuch manner as parliament ſhall hereafter direct.

and 7992l. for cloathing, applied to maintain a militia two years from 24 June 1772 to 24 June 1774 as parliament direct.

CHAP. II.

An act for granting to his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein directed.

WHEREAS by an act of parliament made and paſſed in the ninth year of your Majeſty's reign, intituled, *An act for granting to his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed,* ſeveral aids and additional duties were granted to your Majeſty, your heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſixty nine until the twenty fifth day of December one thouſand ſeven hundred and ſeventy one incluſive, to pay an intereſt for the ſeveral ſums of ſix hundred and twenty five thouſand pounds, and thirty thouſand pounds, in the ſaid recited act particularly mentioned, (or ſuch part thereof as ſhould remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine) to the perſon or perſons who paid or lent the ſaid ſum of ſix hundred and twenty five thouſand pounds, his, her, or their executors, adminiſtrators or aſſigns, at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth Day of December one thouſand ſeven hundred and ſixty nine, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and for the ſaid ſum of thirty thouſand pounds, or ſuch part thereof as ſhould remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, to the perſon or perſons who paid or lent the ſaid ſum of thirty thouſand

Recital, 9 *G.* 3. *c.* 2.

additional duties thereby from 25 Dec. 1769, to 1771,

to pay 4*l.* *per cent.* for 625000*l.*

and 3*l.* 10*s.* *per cent.* for 30000*l.*

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ſand pounds, his, her, or their executors, adminiſtrators or aſſigns, an intereſt at the rate of three pounds ten ſhillings *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty nine, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas it was enacted in and by the ſaid recited act, that for all and every ſuch further ſum and ſums of money, not exceeding in the whole the ſum of one hundred thouſand pounds, as ſhould be actually paid by any perſon or perſons into your Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to ſupply ſuch deficiencies as ſhould or might ariſe in the aids granted in the ſaid ſeſſion of parliament for the ſeveral purpoſes in the ſaid act expreſſed, there ſhould be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments, to the perſon or perſons paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, ſuch intereſt, not exceeding the rate of four pounds *per centum per annum*, as ſhould be agreed by his excellency the lord lieutenant, or other chief governor or governors of Ireland for the time being, to be paid for the ſame without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas in purſuance of the ſaid recited act the ſum of fifty thouſand pounds was paid into your Majeſty's treaſury upon the twenty fourth day of June one thouſand ſeven hundred and ſeventy, and a further ſum of fifty thouſand pounds was paid into your Majeſty's treaſury on the twenty ninth day of September one thouſand ſeven hundred and ſeventy, making together the ſum of one hundred thouſand pounds, to carry an intereſt at the rate of four pounds *per centum per annum* from the ſaid reſpective days of advancing the ſame, until the ſame ſhall be paid: and whereas the ſeveral aids and duties, granted to your Majeſty in and by the ſaid recited act, have not proved ſufficient to pay and diſcharge the ſaid ſeveral principal ſums, and the intereſt of the ſame reſpectively at the rates aforeſaid, but the greateſt part of the ſaid ſeveral principal ſums will remain unpaid on the

and for further loan not exceeding 1000000l. Intereſt not exceeding 4l. *per cent.*

in purſuance whereof 1000000l. paid into treaſury in 2 payments, 24 June and 29 Sept. 1770. at 4l. *per cent.*

duties by 9 *G.* 3. c. 2. inſufficient,

twenty fifth day of December one thouſand ſeven hundred and ſeventy one: and whereas of the ſaid ſeveral principal ſums, ſo borrowed as aforeſaid, the principal ſum of ſeven hundred and twenty five thouſand pounds ſtill remains due and unpaid; we therefore your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for ſuch part of the ſaid ſum of ſeven hundred and twenty five thouſand pounds, as carried an intereſt at the rate of four pounds *per centum per annum*, and for ſuch part thereof as carries an intereſt at the rate of three pounds ten ſhillings *per centum per annum*, or ſo much of the ſaid principal ſum as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy one, there ſhall be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, to the perſon or perſons who has or have paid or lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, intereſt at the reſpective rates aforeſaid, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

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725000l. ſtill due,

intereſt thereof at the reſpective rates from 25 Dec. 1771,

without any deduction,

II. And whereas it is neceſſary, that twelve thouſand effective men, commiſſion and non commiſſion officers included, ſhould be maintained within this kingdom for its defence; therefore to enable your Majeſty to carry into execution your Majeſty's gracious intentions and determined reſolution, ſignified to us by his excellency the lord lieutenant by your Majeſty's command, to keep within this kingdom for the neceſſary defence of the ſame twelve thouſand effective men, commiſſion and non commiſſion officers included, at all times unleſs in caſes of invaſion or rebellion in Great Britain; be it enacted by the authority aforeſaid, that three thouſand and forty ſix men, which have been raiſed in purſuance of an act of parliament paſſed in the ſeſſion of one thouſand ſeven hundred and ſixty nine, be continued

12000 effective men neceſſary for defence,

to be kept at all times unleſs invaſion, or rebellion in *Great Britain*.

3046 men raiſed purſuant to 9 *G.* 3, c. 2. continued 2 years from 1 Jan. 1772 to 31 Dec. 1773.

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nued for two years from the first day of January one thousand seven hundred and seventy two, to the thirty first day of December one thousand seven hundred and seventy three, inclusive, so as that the forces on the establishment of this kingdom may amount to fifteen thousand and forty six effective men, commission and non commission officers included.

so as established forces 15046, officers included.

III. And in order the more effectually to enable your majesty to pay and continue the said three thousand and forty six men on the said establishment for the said two years as aforesaid, be it further enacted by the authority aforesaid, that in case the aids granted this session of parliament shall prove insufficient to answer the purposes aforesaid, and to defray the other necessary expences of government, that then and in such case it shall and may be lawful for the lord lieutenant, or other chief governor or governors of this kingdom for the time being, from time to time, as there shall be occasion, to borrow or take up by way of loan from such person or persons as shall be willing to advance the same, at an interest not exceeding four pounds *per centum per annum*, such sum or sums of money, not exceeding in the whole the sum of two hundred thousand pounds, as shall be necessary for the purposes aforesaid.

If aids insufficient, loan not exceeding 200000l.

at interest not above 4l. *per cent.*

IV. And be it further enacted by the authority aforesaid, That for all and every such sum and sums of money, not exceeding in the whole the said sum of two hundred thousand pounds, as shall be actually paid by any person or persons into your Majesty's treasury at the instance of his excellency the Lord Lieutenant, or other chief governor or governors of this kingdom, for the time being, to supply such deficiencies as shall or may arise in the aids granted this session of parliament for the purposes aforesaid, there shall be paid at the receipt of your Majesty's exchequer by the hands of the vice treasurer or paymaster general, vice treasurers or paymasters general, his or their deputy or deputies, at the end of every six calendar months, to be computed from the respective times of such payments, to the person or persons so paying or lending the same, his, her, or their executors, administrators, or assigns, such interest, not exceeding the rate of four pounds *per centum per annum*, as shall be agreed by his excellency the lord lieutenant, or other chief governor or governors of Ireland, for the time being, to be paid for the same without any fee or charge, and free from all deductions, defalcations, and abatements whatsoever, until such time as they shall be respectively paid their principal money at one entire payment.

Payable half yearly, without any deduction.

V. And

V. And be it further enacted by the authority aforeſaid, that like debentures or receipts bearing ſuch intereſt, not exceeding the rate of four pounds *per centum per annum*, as ſhall be ſo agreed upon, ſhall be given by the officers of your Majeſty's treaſury for all and every ſum and ſums of money to be paid into the receipt of your Majeſty's exchequer purſuant to this act on account of the ſaid intended loan, not exceeding the ſum of two hundred thouſand pounds, and ſhall be inſerted in an arithmetical progreſſion, where the common exceſs or difference is to be one, beginning with the number next after the laſt number of the receipts or debentures for the ſaid ſum of ſeven hundred and twenty five thouſand pounds now ſtanding out at the reſpective rates of intereſt aforeſaid, until the whole ſhall be numbered in manner aforeſaid.

Like debentures given at treaſury and numbered,

VI. And be it further enacted by the authority aforeſaid, that all and every perſon or perſons, to whom debentures or receipts have been given for any part of the ſaid ſum of ſeven hundred and twenty five thouſand pounds, now carrying the ſeveral rates of intereſt before mentioned, and all and every perſon or perſons, to whom debentures or receipts ſhall be given purſuant to this act, his, her, or their executors, adminiſtrators, or aſſigns, may by indorſements on ſuch debentures or receipts transfer the right and benefit of the ſum due on ſuch debentures or receipts, which indorſements (upon notice to the vice treaſurer or vice treaſurers, his or their deputy or deputies, and an entry or memorial thereof made in the ſaid vice treaſurer's office, which the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall upon requeſt without charge, fee, or reward, make accordingly, and ſhall on requeſt permit the ſame to be viewed at the uſual office hours without fee or reward) ſhall intitle the indorſee or aſſignee, his or her executors, adminiſtrators, and aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid debentures or receipts may in like manner be aſſigned or transferred by ſuch indorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns, and ſo *toties quoties*, and that after ſuch aſſignment it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or to diſcharge or receive the ſum thereby transferred or aſſigned, or any part thereof.

Transferable by indorſement,

on notice and memorial.

viewed at office hours without fee,

ſo *toties quoties*,

not after in aſſignor's power.

VII. And to the end and intent that the intereſt of the ſaid ſum of ſeven hundred and twenty five thouſand pounds, or ſo much thereof as ſhall remain unpaid on the ſaid twenty fifth

For payment of intereſt of ſaid 725000l. and loan additional duties

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day of December one thouſand ſeven hundred and ſeventy one, and alſo the intereſt of ſuch ſum or ſums, not exceeding in the whole the ſum of two hundred thouſand pounds, as ſhall be raiſed in purſuance of this act, may be duly and regularly paid half yearly, according to the rates of intereſt herein before mentioned, and according to the true intent and meaning of this act, be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December, which ſhall be in this preſent year one thouſand ſeven hundred and ſeventy one, there ſhall be throughout your Majeſty's kingdom of Ireland raiſed, levied, granted, collected and paid to your Majeſty, your heirs and ſucceſſors, until the twenty fifth day of December, one thouſand ſeven hundred and ſeventy three incluſive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of his Majeſty King Charles the ſecond, intituled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, intituled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money unto his Royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to the book of rates hereunto annexed*, and over and above the ſeveral additional duties granted to your Majeſty this preſent ſeſſion of parliament by an act, intituled, *An act for granting to his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns* (*except of the manufacture of Great Britain*;) and over and above any duties, rates, and impoſitions granted by any other act of parliament now in force, or during this ſeſſion of parliament to be enacted in this kingdom, the ſeveral duties, rates, impoſitions, and taxes herein after mentioned, (that is to ſay,) an additional duty of ſix pounds *per* ton for and upon all ſorts of wine of the growth of France or Spain, and three pounds *per* ton for and upon all ſorts of wine of the growth of Portugal, and of five pounds *per* ton for and upon all other wines that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one; and alſo an additional duty

and taxes to 25 Dec. 1773,

14 and 15 *C.* 2. c. 8. and 9.

11 & 12 *G.* 3. c. 1.

wines *French* or *Spaniſh* 6*l. per* ton,

Portugal 3*l.*

others 5*l.*

duty of four pounds ſterling *per* pound weight for and upon all velvets and manufactures, made of or mixed with ſilk (except thoſe of Great Britain, China, Perſia, and the Eaſt Indies) that ſhall be imported into this kingdom from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy one; an additional duty of one halfpenny *per* pound weight for and upon all hops that ſhall be imported into this kingdom from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy one; an additional duty of five pounds *per centum* for and upon all china, earthen, japanned, or lacquered ware, as valued or rated for cuſtom by the book of rates, that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one; an additional duty of three pounds *per* ton for and upon all ſorts of vinegar that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one; a further additional duty of two pence *per* gallon for and upon every gallon of aquavitæ, ſtrong waters, and ſpirits, that ſhall be made or diſtilled within this kingdom for ſale, to be paid by the firſt maker or diſtiller thereof, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one; a further additional duty of two pence *per* pound for and upon all coffee that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one; a duty of ten ſhillings *per annum*, to be paid by all and every perſon or perſons that doth, do, or ſhall ſell or tap out by retail any cyder at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one and the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, incluſive; a duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, to be paid by the perſon who ſhall ſell or tap out the ſame by retail, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one; an additional duty of twenty ſhillings to be paid by every perſon for every coach, chariot, berlin, calaſh, or chaiſe, with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except hackney or ſtage coaches, and coaches kept by coachmakers for ſale) at any time betwen the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one and the twenty fifth day of December one thouſand ſeven hundred and ſeventy two incluſive; an additional duty of twenty ſhillings to be paid by every perſon for every coach, chariot,

velvets and ſilks, ſave *Britiſh*, &c. 4l. *per* lb. hops ½ *per* lb.

china, lacquered ware, &c. 5l. *per cent.* as rated.

vinegar 3l. *per* ton.

aquavitæ, waters, ſpirits for ſale, 2d. *per* gallon by firſt diſtiller,

coffee 2d. *per* lb.

cyder retailers 10s. *per annum*, and 1d. *per* gallon.

4 wheel carriages, ſave ſtages, &c. 20s. yearly.

riot, berlin, calaſh, or chaiſe, with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except as aforeſaid) at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy two and the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three inclusive; an additional duty of twenty ſhillings *per* ton for and upon every ton of ſoap-boilers waſte, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to any parts beyond the ſeas, from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy one; an additional duty of three pounds *per* ton for and upon every ton of linen rags, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to parts beyond the ſeas from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy one.

ſoap waſte 20s. *per* ton,

linen rags 3l.

To prevent running tea.

VIII. And whereas great frauds and abuſes have been committed by the clandeſtine importation of tea from parts beyond the ſeas, without paying any duties for ſuch tea: for remedy whereof, and for the greater diſcouragement of the pernicious and illegal practice of unlawfully importing and clandeſtinely running and landing of tea, be it further enacted by the authority aforeſaid, that from and after the twenty-fifth day of December, one thouſand ſeven hundred and ſeventy one, until the twenty fifth day of December one thouſand ſeven hundred and and ſeventy three inclusive, there ſhall be paid to your Majeſty, your heirs and ſucceſſors, the ſum of ſix pence, and no more, for every pound of green tea, and the ſum of four pence, and no more, for every pound of black bohea and other tea, which ſhall be imported into this kingdom, during the time aforeſaid, in lieu and full ſatisfaction of all cuſtom, exciſe, or other duties payable to your Majeſty for the ſame by any act or acts of parliament heretofore made in this kingdom.

6d. *per* lb. green.

4d. bohea and others,

in lieu of all duties.

Drawback for ſubjects 24, ſtrangers 12, months

IX. And be it further enacted by the authority aforeſaid, that if the ſaid wines and other merchandizes herein before mentioned, upon which the aforeſaid duties are hereby charged upon the importation thereof, ſhall be again exported by any merchant or merchants, who is or are ſubject or ſubjects of this realm or any other your Majeſty's dominions, within twenty four calendar months, or by merchant ſtrangers within twelve calendar months, after the importation thereof, and if due proof ſhall be firſt made by certificate from the proper officers of the due entry and payment of the ſaid duties hereby granted, and if all other requiſities ſhall be performed, which are by law required

on certificate and requiſites,

quired

quired to be performed in thoſe caſes, where the duties of exciſe are to be repaid, that then the ſaid duties hereby impoſed ſhall without any delay or reward be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame within one calendar month after demand thereof, or the ſecurity for the ſaid duties by this act charged ſhall be vacated, as to ſo much as ſhall be ſo exported; any thing herein to the contrary notwithſtanding.

Cyder not retailed without licence.

X. And be it further enacted by the authority aforeſaid, that from and after the twenty-fifth day of December, one thouſand ſeven hundred and ſeventy one, no perſon or perſons whatſoever ſhall ſell or tap out by retail any cyder within this kingdom, but only ſuch as ſhall be licenced according to the directions of this act, under ſuch penalty as herein after is expreſſed.

Licence by three commiſſioners and collectors of exciſe

XI. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy one it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's exciſe, or any three of them, and the collectors of his Majeſty's exciſe in their ſeveral and reſpective diſtricts, from time to time to iſſue and grant ſuch licences for the ſelling and tapping out cyder by retail; and that for every ſuch licence ſo to be granted the ſum of one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee for the ſame; and if any perſon or perſons ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy one, ſell or tap out cyder by retail without ſuch licence as aforeſaid, every ſuch perſon ſo offending ſhall, for every time he or ſhe ſhall ſo offend, forfeit and pay the ſum of five pounds.

fee 1s. 1d.

penalty 5l.

Entry by day by exciſe officers to take account and charge.

XII. And be it further enacted by the authority aforeſaid, that for the better ordering and collecting the ſaid duty of one penny *per* gallon for and upon all cyder, that ſhall be ſold or tapped out by retail, it ſhall and may be lawful to and for the gauger or gaugers, and officers of exciſe, within their reſpective diſtricts, from time to time, from and after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy one, to enter in the day time into the houſes, out houſes, ſtore houſes, and cellars of every retailer or retailers of cyder, and to take an account of all ſuch cyder as ſhall be found in the poſſeſſion of ſuch retailer or retailers, and to charge ſuch retailer or retailers with the ſaid duty of one penny *per* gallon accordingly.

Stock on hand declared on demand,

XIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty-fifth day of December one thou-

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ſand ſeven hundred and ſeventy one every retailer of cyder ſhall ſhew to the gauger or officers of exciſe on demand all his or her ſtock of cyder then on hand; and in caſe any ſuch retailer or retailers of cyder, or his, her, or their ſervant or ſervants, (in caſe ſuch retailer or retailers ſhall not be preſent, when the gauger or officers of exciſe ſhall come to ſuch retailers houſe to take ſtock as aforeſaid) ſhall refuſe to make declaration, and ſhew all his or her ſtock of cyder then on hand, every ſuch retailer ſhall for every ſuch offence forfeit and loſe the ſum of ten pounds: and if ſuch gauger or officers of exciſe ſhall, after declaration made as aforeſaid, find any cyder in the poſſeſſion or cuſtody of ſuch retailer or retailers, over and above the quantity ſo ſhewn and declared, ſuch retailer ſhall likewiſe forfeit and loſe the ſum of ten pounds.

refuſal, or falſe return, 10l.

Certificate of coaches, &c. in 3 months to collector with abode,

XIV. And be it further enacted by the authority aforeſaid, that for the better collecting the ſaid duty chargeable on every perſon, who ſhall keep any carriages with four wheels (except as before excepted) every perſon, who from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, ſhall within three calendar months after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, or within three calendar months after he or ſhe ſhall have or keep any ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, by writing under his or her hand certify to the collector of exciſe, in ſome one of the diſtricts where he or ſhe ſhall reſide or dwell, within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh, and chaiſe with four wheels, which he or ſhe ſhall have or keep (except hackney or ſtage coaches, and coaches kept by coachmakers for ſale) with the name of the place and pariſh of his or her reſidence or abode at the time of giving ſuch certificate; which ſaid certificate ſhall be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom for the time being, and ſhall be alſo entered or regiſtered in an alphabetical book to be by them reſpectively kept for that purpoſe, and a copy of ſuch entry, ſigned by ſuch collector or his clerk, to be delivered, if required, without fee or reward to the perſon delivering ſuch certificate, and a number ſhall be entered on each certificate ſo regiſtered; and that the ſaid collectors reſpectively ſhall under their hands on or before the twenty fifth day of December in every year give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, from time to time

entered and numbered.

liſts returned by 25 December yearly to collector

time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode reſpectively mentioned in ſuch reſpective certificates, to the perſons who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties; and that ſuch perſons as ſhall be appointed by the ſaid commiſſioners of exciſe, or any three of them, to collect and receive the ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall have full power and authority to levy, collect, and receive the ſame, within the diſtrict where the certificate ſhall be entered, in the ſame manner as his Majeſty's revenue ariſing from fire-hearths is now by law levied, collected, and received, and ſhall reſpectively ſign and deliver acquittances without fee or reward for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty of fire-hearths, and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner, as books containing the duplicates of acquittances for the ſaid duty on fire-hearths are returned.

collectors to levy in the diſtrict where certificate entered as for hearth money,

acquittances without fee,

duplicates booked, and returned.

XV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, chargeable with the ſaid duty by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons ſo having or keeping ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, not certified as aforeſaid, ſhall, for ſuch neglect, forfeit the ſum of ten pounds, to be ſued for, recovered, levied, and applied, in ſuch manner, and form, and by ſuch ways and methods, as are preſcribed and appointed in and by an act of parliament, made and paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid king Charles the ſecond, intituled, *an act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

Not certifying, 10l. as by 14 & 15 *C.* 2. c. 8.

XVI. Provided nevertheleſs, that every perſon (except as before excepted) having in his or her keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels, belonging to another, ſhall be charged for every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid duty impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

Poſſeſſor charged as owner.

XVII. And be it further enacted by the authority aforeſaid, that the perſon or perſons, who for the time being ſhall be authorized and impowered to collect and levy the ſaid duty on coaches,

Paid to collector of diſtrict,

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chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duties ſhall be collected and raiſed; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into your Majeſty's treaſury, as other money received by them for the uſe of your Majeſty.

Separate accounts. payment to treaſury.

XVIII. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional and other duties and rates hereby granted, other than ſuch as are otherwiſe by this preſent act appointed, ſhall be raiſed, anſwered, collected, and paid unto your Majeſty, your heirs and ſucceſſors, during the term aforeſaid, at the ſame time, and in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed, in and by the ſaid act, made in this kingdom in the fourteenth and fifteenth years of the reign of king Charles the ſecond, intituled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relative to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes, as if the ſame were particularly mentioned, ſpecified, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe, is provided.

All ſaid duties raiſed and paid as by 14 & 15 *C.* 2. c. 8, or other exciſe law with like appeal.

XIX. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, who ſhall have upon the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, or who ſhall have at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one and the twenty fifth day of December one thouſand ſeven hundred and ſeventy three incluſive, any ſalary, profits of employments, fees or penſions, in this kingdom, ſhall pay unto your Majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings a year, which he, ſhe, or they do or ſhall receive, or be intitled unto, by reaſon of ſuch ſalaries, profits of employments, fees, or penſions, over and above the charges and expences of executing the ſaid employments, unleſs ſuch perſon or perſons do or ſhall live and actually reſide within this kingdom for and during the ſpace of ſix calendar months at leaſt in each of the ſaid years; which ſaid tax or duty of four ſhillings ſterling, payable on every twenty ſhillings a year as aforeſaid, ſhall be ſtopped and deducted yearly out of ſuch reſpective ſalaries and penſions during the time and term aforeſaid

4s. *per* pound on abſentees 6 months for ſalaries, employments, fees, or penſions,

by the vice treaſurer or vice treaſurers, paymaſter or paymaſters, and receiver general of your Majeſty's revenue, or by ſuch perſon or perſons who is or are to pay the ſame; and which ſaid tax of four ſhillings in the pound, to be ſtopped and deducted as aforeſaid by the perſon or perſons who is or are to pay the ſaid ſalaries, ſhall be by him or them paid to the vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to your Majeſty; and alſo that the ſaid tax of four ſhillings in the pound, to be ſtopped and deducted out of the profits and fees of any perſon or perſons ſo abſent as aforeſaid, ſhall be ſtopped by the reſpective deputy or deputies of ſuch perſon and perſons ſo abſent as aforeſaid, and paid by them to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to your Majeſty; and that ſuch deputy or deputies ſhall, within one calendar month after ſuch tax ſhall become due, give in upon oath an account before the lord chief baron, or any of the barons of the exchequer, or any two juſtices of the peace, of the net profits of ſuch employment or employments, for which ſuch deputy or deputies is, are, or ſhall be accountable to their principals; which account ſuch perſon or perſons, to whom the ſame ſhall be given upon oath as aforeſaid, ſhall forthwith ſend to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies; and in caſe ſuch deputy or deputies of the perſon or perſons ſo abſent as aforeſaid ſhall omit or neglect to give in upon oath ſuch account within the time herein before for that purpoſe appointed, ſuch deputy or deputies, neglecting or omitting the ſame, from the time of ſuch omiſſion or neglect ſhall be incapable of exerciſing or holding ſuch deputation, and ſhall alſo forfeit the ſum of one hundred pounds ſterling, to be recovered by bill, plaint, or information in any of his Majeſty's courts of record at Dublin; one moiety thereof to the uſe of his Majeſty, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame; in which ſuit no eſſoign, protection, wager of law, or more than one imparlance ſhall be allowed.

ſtopped and accounted for,

deputies in 1 month to account on oath for net profits before a baron or two juſtices.

ſent to vice treaſurers,

diſabled on neglect, and 100l. to king and proſecutor.

XX. And be it further enacted by the authority aforeſaid, that the ſecretary or ſecretaries of the commiſſioners of your Majeſty's revenue, the agent and agents of the ſeveral regiments upon the eſtabliſhment of this kingdom, and the agent and agents of the ſeveral perſons who are intitled to receive any ſalaries or penſions upon your Majeſty's eſtabliſhment, ſhall reſpectively on or before the laſt day of February yearly deliver in upon oath, (which oath the ſaid lord chief baron, or any of the barons of your Majeſty's court of exchequer, or any two juſtices of the peace, are hereby required and impowered to adminiſter) to the beſt of their knowledge,

Commiſſioners ſecretaries, and agents, to deliver on oath before a baron or two juſtices by laſt of February yearly liſts of abſentees.

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ledge, a liſt or account of ſuch of the officers of the revenue, and the officers of the ſaid regiments of the degree of a colonel not having a regiment; and of the perſon or perſons who are intitled to receive any ſuch ſalaries, or penſions, who ſhall have been abſent and out of this kingdom for ſix calendar months in the year, ending the twenty fifth day of December next preceding; and in caſe ſuch ſecretary or ſecretaries, agent or agents, ſhall refuſe or neglect to deliver in ſuch liſts reſpectively, he or they ſhall be diſabled from holding and enjoying the ſaid office of ſecretary or ſecretaries, or from being agent or agents.

or diſabled.

Excepted late king's deſcendants, C. governor or ſecretary, perſons exempt by ſign manual, officers on ſervice, or under a colonel, not having regiments, half pay, widows.

XXI. Provided always, and be it further enacted and declared by the authority aforeſaid, that this act ſhall not extend to charge the ſaid tax or duty of four ſhillings ſterling a year on every twenty ſhillings as aforeſaid upon the ſalary, penſion, fees, or profits of employments, payable to any of the deſcendants of your Majeſty's royal grandfather, or to the lord lieutenant or other chief governor or governors of this kingdom for the time being, or to his or their principal ſecretary, or to prince Ferdinand, duke of Brunſwick, the duke and dutcheſs of Athol, ſir Edward Hawke, knight of the Bath, or George Charles, eſquire, if his Majeſty ſhall think fit by his ſign manual to exempt the ſaid prince Ferdinand, duke of Brunſwick, the duke and dutcheſs of Athol, ſir Edward Hawke, and George Charles, or any of them, from the payment of the ſame; nor ſhall the ſame extend to the officers of ſuch regiments, as now are or ſhall hereafter be commanded abroad on his Majeſty's ſervice, to colonels not having regiments, or to any officer under the degree of a colonel, to the half pay officers on the eſtabliſhment of this kingdom, or to the widows of officers.

No fees on payments under this act.

XXII. And be it further enacted by the authority aforeſaid, that neither the ſix pence *per* pound, nor any other fee, ſhall be payable to or be deducted or received by the vice treaſurer or vice treaſurers, receiver or pay maſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for or on account of, the aids hereby granted to your Majeſty, or of any payment to be made in purſuance of this act.

10000l. of tea duty to linen manufacture.

XXIII. And be it further enacted by the authority aforeſaid, that ſo much of the yearly produce of the ſaid duties ariſing upon teas, as ſhall amount to the ſum of ten thouſand pounds yearly, ſhall in the firſt place be paid to the truſtees of the hempen and linen manufactures in this kingdom; and that ſo much

7300l. to hereditary revenue.

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much of the reſidue of the ſaid duties upon teas, as ſhall amount to the ſum of ſeven thouſand three hundred pounds yearly, ſhall be placed to the account of your Majeſty's hereditary revenue; and that the reſidue or ſurplus of the produce of ſuch duties together with the ſeveral other duties and aids hereby granted unto your Majeſty, ſhall in the firſt place be applied and paid by the vice treaſurer or vice treaſurers, his or their deputy or deputies, to pay the intereſt for the ſaid ſum of ſeven hundred and twenty five thouſand pounds, at the reſpective rates of intereſt, which the ſaid ſum of ſeven hundred twenty five thouſand pounds, and every part thereof, ſhall carry as aforeſaid, or for ſo much thereof as ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, and alſo to the diſcharge of the intereſt of ſuch ſum or ſums, not exceeding the ſaid ſum of two hundred thouſand pounds, as ſhall or may be borrowed in purſuance of this act, in the manner, and at the reſpective times, and according to the rates of intereſt, herein before mentioned and appointed for that purpoſe; and that all the ſurplus or exceeding of the ſaid aids and duties hereby granted to your Majeſty, over and above what ſhall be ſufficient to diſcharge the aforeſaid intereſt of ſuch part of the ſaid ſum of ſeven hundred and twenty five thouſand pounds, or ſo much thereof as ſhall remain due on the twenty fifth day of December one thouſand ſeven hundred and ſeventy one, and over and above what ſhall be ſufficient to pay the intereſt of what ſhall or may be borrowed in purſuance of this act, ſhall in the firſt place be applied towards the payment of ſo much of the ſaid principal ſum of ſeven hundred and twenty five thouſand pounds, carrying intereſt at the rate of four pounds *per centum per annum*, or ſuch part thereof as ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, in ſuch manner as herein after mentioned.

Surplus with other duties to reſpective intereſt of ſaid 725000l. and ſaid loan,

then to principal of 725000l.

XXIV. And be it further enacted by the authority aforeſaid, that ſuch perſon or perſons, to whom any part of the ſaid ſum of ſeven hundred and twenty five thouſand pounds, which carries intereſt at the rate of three pounds ten ſhillings *per centum per annum*, ſhall remain due on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, and who ſhall deſire to be paid the ſame, ſhall be paid their ſeveral principal ſums with intereſt at the rate aforeſaid out of the ſurplus, which ſhall then remain unapplied of the duties and aids, granted to your Majeſty by an act paſſed in the ninth year of

Creditors at 3l. 10s. *per cent.* deſiring it paid principal and intereſt out of ſurplus unapplied in 9 *G.* 3, *c.* 2.

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your Majeſty's reign, intituled, *An act for granting to his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed.*

When ſurplus 30000l. drawn by balot, paid, and debentures cancelled.

XXV. And be it further enacted by the authority aforeſaid, that from and after the payment of the intereſt of the ſaid ſeveral and reſpective ſums before mentioned, when and as often as any ſurplus or exceeding of the aids and duties herein granted ſhall be received by the vice treaſurer or vice treaſurers, his or their deputy or deputies, and that ſuch ſurplus or exceeding ſhall amount to the ſum of thirty thouſand pounds, that then the vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall cauſe the numbers of ſuch receipts or debentures amounting to thirty thouſand pounds, part of the ſaid ſum of ſeven hundred and twenty five thouſand pounds, carrying an intereſt at four pounds *per centum*, or ſo much thereof as ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, and the ſums therein contained, to be written on ſeveral tickets or pieces of parchment, and to be rolled and ſewed up, and put into a box or urn, and well mixed together, and an indifferent perſon ſhall publickly between the hours of ten and twelve in the forenoon of a day to be by the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, publickly advertiſed in the Dublin Gazette for that purpoſe at leaſt twenty days before, at the office of the vice treaſurer or vice treaſurers in the caſtle of Dublin draw out of ſuch box or urn as many of the ſaid tickets or pieces of parchment, as the ſums therein contained ſhall amount to the ſaid ſum of thirty thouſand pounds; and the perſon or perſons, the numbers of whoſe debentures or receipts ſhall be ſo drawn, his or their executors, adminiſtrators, or aſſigns, ſhall within twenty days after the ſaid tickets or pieces of parchment ſhall be drawn, be paid by the vice treaſurer or vice treaſurers, his or their deputy or deputies, the principal ſums to him, her, or them reſpectively due, with intereſt for the ſame at the rates aforeſaid till paid, and ſhall upon payment thereof deliver his, her, and their ſeveral and reſpective debentures or receipts to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be cancelled, which he or they are hereby required to cancel accordingly; and the intereſt payable by virtue of ſuch debentures or receipts ſhall ceaſe from the expi-

ration of twenty days, to be accounted from the day of drawing the ſaid tickets or pieces of parchment.

Loan not paid off till ſaid 725000l. diſcharged.

XXVI. And be it enacted by the authority aforeſaid, that ſuch ſum or ſums of money, not exceeding in the whole the ſaid ſum of two hundred thouſand pounds, as ſhall be advanced and paid into your Majeſty's treaſury in purſuance of this act, ſhall not be paid off, until the ſaid principal ſum of ſeven hundred and twenty five thouſand pounds, or ſo much thereof as ſhall remain due on the ſaid twenty fifth of December one thouſand ſeven hundred and ſeventy one, ſhall be firſt paid and diſcharged.

Said 725000l. and loan paid with intereſt without any deduction.

XXVII. And be it further enacted by the authority aforeſaid, that the ſaid principal ſum of ſeven hundred and twenty five thouſand pounds herein before mentioned, or ſo much thereof as ſhall remain due and unpaid on the ſaid twenty fifth day of December, which ſhall be in the year of our lord one thouſand ſeven hundred and ſeventy three, as alſo ſuch ſum or ſums of money, not exceeding in the whole the ſaid ſum of two hundred thouſand pounds, as ſhall or may be borrowed in purſuance of this act, ſhall be well and truly ſatisfied and paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators, and aſſigns, to whom the ſame ſhall be then due, together with ſuch intereſt for the ſame as ſhall be then due at the rates aforeſaid, without any deduction, defalcation, or abatement whatſoever.

Separate accounts of duties appropriated,

weekly abſtracts to accountant general,

to return ſeparate accounts.

XXVIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties, and taxes granted by this act or any other act of parliament now in force in this kingdom, and appropriated to particular uſes; and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general, and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury, which ſaid receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby to give accordingly.

CHAP.

A. D. 1771-2.

CHAP. III.

An act for licenſing hawkers and pedlars, and for encouragement of Engliſh proteſtant ſchools.

Hawkers, pedlars, &c to pay 20s. yearly from 25 March 1772 to 1774,

WHEREAS the continuing the encouragement formerly given to Engliſh proteſtant ſchools, will be of great benefit to this kingdom, and it is reaſonable, that ſome publick fund ſhould be applied and ſet apart for that purpoſe: be it therefore enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fifth day of March one thouſand ſeven hundred and ſeventy two until the twenty fifth day of March one thouſand ſeven hundred and ſeventy four there ſhall be anſwered and paid unto your Majeſty, your heirs and ſucceſſors, by every hawker pedlar, petty chapman, or other trading perſon or perſons going from town to town, or to other mens houſes, and travelling either on foot or

and further 20s. for every beaſt,

with horſe, horſes, or otherwiſe in this kingdom (except as hereinafter mentioned) carrying to ſell, or expoſing to ſale, any goods, wares, or merchandizes, a duty of twenty ſhillings by the year; and that every perſon ſo travelling with a horſe, aſs, or mule, or any other beaſt bearing or drawing burthen, ſhall pay the ſum of twenty ſhillings by the year from the twenty fifth day of March one thouſand ſeven hundred and ſeventy two to the twenty fifth day of March one thouſand ſeven hundred and ſeventy four, for each horſe, aſs, or mule, or other beaſt or beaſts bearing or drawing burthen, he or ſhe ſhall ſo travel with, over and above the ſaid firſt mentioned duty of twenty ſhillings by the year; which ſaid rates and duties ſhall be collected by ſuch perſon and perſons, and in ſuch manner, and by

collected as alehouſe licence by 33 G. 2, c. 10. ſ. 93.

ſuch ways and means, as the duty payable for licences to keep ale houſes is raiſed and collected by virtue of an act made in this kingdom in the thirty third year of the reign of his late Majeſty King George the ſecond, intituled, *An act for better regulating the collection of his Maieſty's revenue, and for preventing of frauds therein; and for repealing an act made in the laſt ſeſſion of parliament*, intituled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued thereby*, as fully to all intents and purpoſes, as if the proviſions in the ſaid act for that purpoſe were particularly mentioned, and expreſſed, and enacted again in the body of this preſent act.

Note of intent to travel on foot or with horſes, &c. given to collector.

II. And be it further enacted by the authority aforeſaid, that every pedlar, hawker, petty chapman, and other trading perſon or perſons, ſo travelling as aforeſaid, ſhall before the twenty fifth day of March one thouſand ſeven hundred and ſeventy two, and ſo likewiſe in every year, deliver, or cauſe to be delivered, to the collector of exciſe of the diſtrict, where he or ſhe ſhall reſide or dwell, a note in writing under his or her hand, or under the hand of ſome perſon by her or him authorized in that behalf, how and in what manner he or ſhe intends to travel and trade, whether on foot, or with one or more horſe or horſes, aſs or aſſes, mule or mules, or any other beaſt or beaſts bearing or drawing burthen, for his, or her ſo travelling and trading, for which he or ſhe ſhall thereupon pay or cauſe to be paid unto ſuch collector the yearly duty herein before directed to be payable for

licenced thereon.

the ſame, and thereupon a licence ſhall be granted unto him or her ſo to travel or trade by ſuch collector.

trading without or contrary to ſuch licence 5l.

III. And be it further enacted by the authority aforeſaid, that if any ſuch hawker, pedlar, or petty chapman, from and after the ſaid twenty-fifth day of March one thouſand ſeven hundred and ſeventy two be found trading as aforeſaid without

out or contrary to ſuch licence, ſuch perſon ſhall for each and every ſuch offence forfeit the ſum of five pounds; one moiety thereof to the informer, and the other moiety to the incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools: and that if any perſon ſo trading, upon demand made by any juſtice of the peace, mayor, conſtable, or other officer of the peace, of any county, city, town corporate, or borough, where he or ſhe ſhall ſo trade, ſhall refuſe to produce and ſhew immediately unto ſuch juſtice of the peace, mayor, conſtable, or other officer of the peace, ſo demanding the ſame, his or her licence for ſo trading, to be granted as aforeſaid; that then the perſon ſo refuſing ſhall forfeit twenty ſhillings, to be paid to the informer; and for non payment thereof ſhall ſuffer as a common vagrant, and be committed to the houſe of correction.

to the ſociety and informer, refuſing to produce licence to peace officer not to informer, or puniſhed as vagrant.

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid collectors of the ſeveral diſtricts in this kingdom reſpectively, and they are hereby reſpectively directed, appointed, and required upon the terms aforeſaid, and upon the receipt as aforeſaid, to grant a licence under their reſpective hands to every hawker, pedlar, petty chapman, or any other trading perſon for him or herſelf with one or more horſes, aſſes, mules, or beaſts, which he, ſhe, or they ſhall travel with, as the caſe ſhall require, for which licence there ſhall be taken by ſuch collectors for their own uſe one ſhilling, and no more; except ſuch hawker, pedlar, or petty chapman ſhall travel with horſe, aſs, or mule, or any other beaſt bearing or drawing burthen, and in that caſe there ſhall be paid to ſuch collectors for their own uſe for ſuch licence two ſhillings, and no more, over and above the duties aforeſaid; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts of the duties hereby granted, and pay the money ariſing thereby into your Majeſty's treaſury, as other money received by them for the uſe of your Majeſty.

Collectors to grant licence,

fee 1s. if with horſe, &c. 2s.

ſeparate accounts, and payment to treaſury.

V. And be it further enacted by the authority aforeſaid, that the ſaid collectors ſhall be accountable to your Majeſty for the duties hereby granted, and ſhall be ſubject to the like penalties and forfeitures for not rendering a true account thereof, and paying the ſame in manner aforementioned, as they are and ſtand liable unto for not rendering a true account of any money received by them for the uſe of your Majeſty.

Collectors accountable as uſual.

VI. And be it further enacted by the authority aforeſaid, that the monies ariſing from the ſaid duties hereby granted ſhall from time to time be brought into the receipt of your Majeſty's exchequer, and ſhall from time to time without any fee or deduction whatſoever be paid by the vice treaſurer or receiver general of this kingdom to the incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools, or to their treaſurer for the time being, for the uſe of the ſaid incorporated ſociety.

Brought into exchequer,

paid to the ſociety.

VII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever ſhall forge or counterfeit, or cauſe to be forged or counterfeited, any licence or licences for the purpoſe aforeſaid, or travel with ſuch forged or counterfeited licence or licences, knowing the ſame to be forged or counterfeited, ſuch perſon ſhall forfeit the ſum of fifty pounds; one moiety thereof to the king, and the other moiety to him who ſhall proſecute or ſue for the ſame; to be recovered by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at the four courts in Dublin, in which no eſſoign, protection, or wager of law, or more than one imparlance ſhall be allowed, and ſhall be ſubject to ſuch other pains and penalties, as may be inflicted on perſons for forgery.

Forging or uſing forged licence knowingly 50l. to K. and proſecutor, and penalties for forgery.

VIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall be ſued, moleſted, or troubled, for putting in execution any of the powers contained in this act, or for doing any matter or thing purſuant thereto, ſuch perſon and perſons ſhall and may plead the general iſſue, not guilty, and give the ſpecial matter in evidence; and if the plaintiff or plaintiffs ſhall be nonſuited, or judgment be given againſt him or them upon demurrer, or otherwiſe, or a verdict paſs for the defendant or defendants, or a diſmiſs upon a civil bill, ſuch

Defendants may plead general iſſue, and have treble coſt.

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defendant or defendants ſhall have his, her, or their treble coſts, to be recovered in ſuch manner, as where by law coſts are given to defendants.

Conſtable on notice or view not aſſiſting 40s. to ſociety and proſecutor.

IX. And be it further enacted by the authority aforeſaid, that if any conſtable ſhall refuſe or neglect upon due notice, or on his own view, to be aiding and aſſiſting in the execution of this act, being thereunto required, every ſuch conſtable being thereof convicted by the oath of one or more credible witneſs or witneſſes before any juſtice of the peace for the county or place where ſuch offence ſhall be committed, ſhall forfeit for each and every ſuch offence contrary to this act the ſum of forty ſhillings, to be levied by diſtreſs and ſale of the offenders goods by warrant under the hand and ſeal of ſuch juſtice of the peace; one moiety whereof to be paid to the ſaid incorporated ſociety, the other moiety to the informer who ſhall proſecute for the ſame, rendering the overplus thereof to the owner, if any be.

Any one may detain perſons and goods till licence produced,

X. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any perſon or perſons whatſoever to ſeize and detain any ſuch hawker, pedlar, or pettty chapman, or other trading perſon or perſons as aforeſaid, and alſo the goods they ſhall be found trading with, until ſuch time as he, ſhe, or they ſhall produce a licence in that behalf, if he, ſhe, or they have any; and if he, ſhe, or they ſhall be found trading without licence contrary to this act, that then it ſhall and may be lawful to and for ſuch perſon or perſons ſo ſeizing as aforeſaid, taking to his or their aſſiſtance ſuch perſon or perſons as he or they ſhall think fit, to carry the perſons ſo ſeized, as alſo the ſaid goods, before ſome one of his Majeſty's juſtices of the peace for the county or place, or before the collector of his Majeſty's revenue for the diſtrict where ſuch offence or offences ſhall be committed, which ſaid juſtice of the peace, and the collectors reſpectively, are hereby ſtrictly required either upon the confeſſion of the party offending, or due proof of a witneſs upon oath, which they are hereby reſpectively impowered to adminiſter, that the perſon ſo brought before him had ſo traded as aforeſaid, unleſs ſuch licence ſhall be produced by ſuch offender before the ſaid juſtice or collector, by warrant under his hand and ſeal to cauſe the ſum of five pounds to be forthwith levied by diſtreſs and ſale of the offender or offenders goods, wares, or merchandizes, rendering the overplus (if any be) to the owner or owners thereof, after deducting the reaſonable charge for taking the ſaid diſtreſs, and out of the ſaid ſale to pay the penalty and forfeiture aforeſaid.

and with aſſiſtance carry before a juſtice or collector.

who on conviction, unleſs licence produced, ſhall levy 5l. by diſtreſs and ſale.

Exempted, ſelling printed papers, fiſh, fruit, or victuals, real makers of goods, tinkers, &c.

XI. Provided always, and be it enacted by the authority aforeſaid, that this act, or any thing herein contained, ſhall not extend to prohibit any perſon from ſelling of any act of parliament, forms of prayer, proclamations, gazettes, almanacks, or other printed papers; or any fiſh, fruit, or victuals; nor to hinder any perſon or perſons who are the real workers or makers of any goods or wares within this kingdom, or his or their wife or wives, apprentice or apprentices, from carrying abroad, expoſing to ſale, and ſelling any of the ſaid goods and wares, of his, her, or their making, in any publick fairs, markets, or elſewhere; nor any tinker, cooper, glazier, plumber, harneſs mender, or other perſons uſually trading in mending kettles, tubs, houſhold goods, or harneſs whatſoever, from going about, or carrying with him or them proper materials for mending the ſame.

Wool, frizes, or woollen ſtockings only.

XII. Provided alſo, and be it enacted by the authority aforeſaid, that this act, or any thing herein contained, ſhall not extend to ſubject any perſon or perſons, who ſhall carry raw and unmanufactured wool, or frizes, or ſtockings made of woollen yarn, from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to any of the duties or penalties herein before mentioned, ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other wares, goods, or merchandizes, except the ſaid raw and unmanufactured wool, and the ſaid frizes and ſtockings made of woollen yarn.

XIII. Provided

XIII. Provided alſo, and be it enacted by the authority aforeſaid, that this act, or any thing herein contained, ſhall not extend to prohibit or reſtrain any perſon or perſons from ſelling or expoſing to ſale in any place or places whatſoever any flax, tow, hemp, flaxen yarn, hempen yarn, ticken, plain, ſtriped, chequered, painted or ſtained linens, buckrams, or canvas, ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares, or merchandizes, except ſuch flax, tow, hemp, flaxen yarn, hempen yarn, ticken, plain, ſtriped, chequered, painted or ſtained linens, buckrams or canvas, as aforeſaid.

Flax, tow, hemp, yarn, ticken, linens, buckram, or canvas, only.

XIV. Provided alſo, and be it further enacted, by the authority aforeſaid, that this act, or any thing herein contained, ſhall not extend to ſubject any perſon or perſons, who ſhall carry any pots or griddles made of caſt iron metal from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to the payment of any greater duty than the ſum of twenty ſhillings by the year in the whole; although ſuch perſon or perſons ſhall or may trade or travel with one or more horſe or horſes, or other beaſt or beaſts drawing or bearing burthen; ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares, or merchandizes, except the ſaid pots and griddles made of caſt iron metal.

Iron pots, griddles, tho' with horſes, &c. only.

XV. Provided alſo, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the commiſſioners of his Majeſty's revenue, or any three or more of them, for the time being, to order and direct to be paid out of the monies raiſed by this act to the ſaid collectors, their clerks, or any other perſons, ſuch ſums of money, as they or any of them ſhall or may reaſonably deſerve for their ſervice, or ſhall or may have expended in the execution of or in relation to this act.

Three commiſſioners may direct reaſonable rewards.

XVI. Provided alſo, and be it further enacted by the authority aforeſaid, that this act, or any thing herein contained, ſhall not extend or be conſtrued to give any power for licenſing any hawker, pedlar, or petty chapman to ſell or expoſe to ſale any wares or merchandizes in any city, borough, town corporate, or market town, within this realm, any otherwiſe than he or ſhe might have done before the making of this act; any thing herein contained to the contrary in any wiſe notwithſtanding.

Not to licence ſale in corporations, &c. ſave as before.

XVII. And for the further encouragement of Engliſh proteſtant ſchools be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for every archbiſhop, biſhop, and to and for every dean, archdeacon, dignitary, prebendary, rector, vicar, and eccleſiaſtical perſon whatſoever, with the conſent of the archbiſhop or biſhop of their reſpective dioceſe, ſignified under the hand and ſeal of ſuch archbiſhop and biſhop reſpectively, and to and for every perſon, being ſeized of an eſtate for life in poſſeſſion of any lands, with immediate remainder over to his iſſue in tail, by deed or deeds indented, to demiſe for any term or number of years or lives, with covenants of perpetual renewal, any quantity of land to them reſpectively belonging, not exceeding thirty acres, plantation meaſure, to the ſaid incorporated ſociety, and their ſucceſſors, reſerving a rent, not leſs than the improved yearly value of the ſame at the time of making ſuch demiſe, payable to thoſe who are or ſhall be intitled to the freehold and inheritance thereof; and that all grants ſo to be made ſhall be good and effectual againſt the ſucceſſors of every ſuch archbiſhop, biſhop,

Biſhops, and eccleſiaſticks with conſent under hand and ſeal, tenant for life with immediate remainder to iſſue in tail, may by indenture demiſe in perpetuity 30 acres to the ſociety, reſerving improved yearly value,

good againſt ſucceſſors, &c.

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biſhop, dean, archdeacon, dignitary, prebendary, rector, vicar, and other eccleſiaſtical perſons reſpectively, and againſt all perſons claiming or to claim any eſtate, right, title, or intereſt in ſuch land by virtue of, or under any limitation, remainder, or reverſion expectant upon ſuch eſtate for life.

Void if not applied to charter ſchools or nurſeries.

XVIII. Provided always, that in caſe the ſaid lands and premiſes, ſo demiſed as aforeſaid, ſhall not be applied and made uſe of for the benefit and ſupport of the charter ſchools or nurſeries, or ſome of them, that are or ſhall be erected and eſtabliſhed by ſaid ſociety, ſuch demiſe ſhall be abſolutely null and void to all intents and purpoſes whatſoever.

CHAP. IV.

An act for granting and continuing to his Majeſty the ſeveral duties, rates and impoſitions therein mentioned, for the uſe of the corporation for promoting and carrying on an inland navigation in Ireland.

WHEREAS by an act made in the third year of the reign of his late Majeſty King George the ſecond, intituled, *An act for the encouragement of tillage, and better employment of the poor, and alſo for the more effectual putting in execution an act*, intituled, [*An act to encourage the draining of bogs and unprofitable low grounds, and for eaſing and diſpatching the inland carriage and conveyance of goods from one part to another within this kingdom,*] *and alſo for laying ſeveral duties upon coaches, berlins, chariots, calaſhes, chaiſes, and chairs, and upon cards and dice, and upon wrought and manufactured gold and ſilver plate imported into or made in Ireland, for the purpoſes therein mentioned; and alſo for repealing the duties payable upon the exportation of wool, bay yarn, and woollen yarn, out of this kingdom for England*, the ſeveral rates and duties therein mentioned were granted to his Majeſty from the twenty fifth day of March, one thouſand ſeven hundred and thirty, for the term of twenty one years, for the purpoſes mentioned in the ſaid act; which ſaid ſeveral rates and duties, by an act paſſed in the twenty third year of his ſaid Majeſty's reign, were further granted and continued to his Majeſty from the ſaid twenty fifth day of March, one thouſand ſeven hundred and fifty one, for and during the further term of twenty one years from thence next enſuing, for the purpoſes mentioned in the ſaid acts, and by the ſaid act of the third of his ſaid Majeſty ſeveral commiſſioners were appointed with powers upon the

Duties by 3 G. 2. c. 3.

continued 21 years by 23 G. 2. c. 5.

the death of any of their number, to elect others in perpetual ſucceſſion, and with powers to diſpoſe of the ſaid rates and duties for the purpoſes in the ſaid act mentioned: and whereas the ſaid commiſſioners have been ſince incorporated by the name of the corporation for promoting and carrying on an inland navigation in Ireland, and the ſaid corporation hath accordingly laid out and applied divers conſiderable ſums of money ariſing from the ſaid duties in and towards the making and carrying on ſeveral uſeful and neceſſary works, ſome of which are now nearly finiſhed: and whereas the ſaid term of twenty one years, for which the ſaid rates and duties were granted, will expire on the twenty fifth day of March one thouſand ſeven hundred and ſeventy two, and in caſe the ſame ſhould not be continued, the works now carrying on, and ſeveral other publick and uſeful works intended to be made in divers parts of this kingdom, cannot be made and finiſhed, whereby the monies already laid out may be entirely loſt, and the publick deprived of the benefit thereof: for the prevention whereof, and the better and more effectually to enable the ſaid corporation to carry on and compleat works of ſuch publick advantage, be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſeveral rates, impoſitions, and duties on coaches, berlins, chariots, calaſhes, chaiſes, and chairs, cards and dice, wrought and manufactured gold and ſilver plate, which in and by the ſaid act of the third of his late Majeſty were granted and made chargeable in the ſaid manner in the ſaid act mentioned, be further granted, continued, raiſed, collected, levied, and paid unto his Majeſty, his heirs and ſucceſſors, for the uſe of the ſaid corporation for promoting and carrying on an inland navigation, from the twenty fifth day of March one thouſand ſeven hundred and ſeventy two for and during the further term of ſeven years from thence next enſuing.

the commiſſioners in 3 *G.* 2. c. 3. ſince incorporated, and laid out conſiderable ſums on uſeful works;

the duties by 3 *G.* 2. c. 3. continued for uſe of ſaid corporation 7 years from 25 March 1772, *and 7 years from 25 March 1779, by 19 & 20 G.* 3. *c.* 16.

II. And be it further enacted by the authority aforeſaid, that all and ſingular the rates, duties, and impoſitions hereby granted and continued, ſhall be raiſed, collected, levied, and paid during the ſaid further term of ſeven years at ſuch times, in ſuch manner, and by ſuch perſons, as are directed and appointed by the ſaid act of the third of his late Majeſty, or by an act paſſed in the twenty fifth year of his ſaid late Majeſty for amending the ſaid act of the third of his ſaid Majeſty's reign, or by any other law now in force relating to the ſaid duties,

Levied and paid as by 3 *G.* 2. c. 3. or 25 *G.* 2. c. 10. or any other law in force.

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rates and impoſitions, as fully and effectually as if the ſaid acts were repeated again and re-enacted in the body of this act; and that all penalties and forfeitures inflicted by the ſaid acts, or any of them, and which ſhall incur and ariſe during the ſaid further term of ſeven years from the twenty fifth of March one thouſand ſeven hundred and ſeventy two, ſhall be ſued for, recovered, and applied, in ſuch manner as by the ſaid acts are directed; and the ſeveral offenders ſhall be ſubject and liable to ſuch puniſhment in caſe of non payment thereof, as are mentioned and appointed by the ſaid acts.

like penalties.

III. And whereas the method of carrying on inland navigations altogether at the expence of the publick may be found in many inſtances inconvenient, burthenſome, and attended with great delay, and the improvement of this kingdom might be much promoted, if private ſubſcribers could be found, who would carry on ſuch works at their own expence, and and it would be reaſonable to give ſuch ſubſcribers ſome encouragement ſo to do: be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid corporation for promoting and carrying on an inland navigation in this kingdom, whereſoever it ſhall appear to them, that the making or compleating any inland navigation (the property of which is by any law veſted in the ſaid corporation) will be too expenſive to be compleated at the publick charge alone, in every ſuch caſe to transfer the property of ſuch navigation or river with its ſoil, banks, back drains, houſes, tolls, duties, utenſils, and all other matters appertaining thereunto, unto any company of private undertakers, who ſhall be willing to carry on and compleat the ſame, and who ſhall propoſe to the ſaid corporation a ſcheme for the carrying on the ſaid work, ſuch as the ſaid corporation ſhall at their diſcretion judge beneficial for the publick ſervice, and in which ſcheme the ſaid ſubſcribers ſhall propoſe to pay the ſum, at which the compleating the ſaid work ſhall be eſtimated, and ſhall alſo propoſe to compleat the ſaid work within a certain time to be limited by the ſaid corporation: and that in ſuch caſe it ſhall be lawful for the ſaid corporation, out of the ſeveral duties granted by this act, to give to ſuch ſubſcribers an aid towards carrying on ſuch navigation, not exceeding in the whole one ſixth part of the ſum which ſhall be neceſſary for carrying on and compleating ſuch navigation; no payment nevertheleſs to be made by ſuch corporation on account of or towards any ſuch aid, until ſuch company of ſubſcribers ſhall make it appear to the ſatisfaction

When inland navigation too expenſive for the publick charge alone, the corporation may tranſfer the property to any company of private undertakers on a ſcheme approved,

ſubſcribers propoſing to pay the eſtimate, and in a limited time,

one ſixth of the ſum expended may be given out of ſaid duties, as an aid to ſubſcribers,

of the ſaid corporation, that ſince the time of entering into the contract herein after mentioned there has been ſubſcribed, paid in, and actually expended in and on account of ſaid work five times ſo much money as ſhall be then demanded, and has been at any time granted by the ſaid corporation ſince the time of their entering into ſuch contract for or on account of ſaid work; upon which, proof having been made to the ſatisfaction of ſaid corporation, they ſhall iſſue their warrant for the payment of ſuch ſixth part of the ſum ſo expended as aforeſaid.

7 muſt be preſent on applying to transfer the property,

IV. Provided nevertheleſs, that the property of any ſuch river or navigation ſhall not be transferred to any company of ſubſcribers, until an application for the ſame ſhall be firſt made to the ſaid corporation at ſome meeting, at which ſeven members of the ſaid corporation at the leaſt ſhall be preſent; which members ſhall cauſe publick notice to be given in the gazette, that they will proceed on ſuch buſineſs (ſpecifying the ſame) on a certain day, which ſhall be diſtant thirty days at the leaſt from the day, on which ſuch notice ſhall be firſt inſerted in the ſaid gazette; and until the ſaid application ſhall be firſt agreed to at a meeting held in conſequence of ſuch notice, at which no leſs than fifteen members of the ſaid corporation ſhall be preſent and aſſenting.

30 days notice in gazette,

15 to aſſent at ſuch meeting,

Deeds executed,

V. Provided alſo, that every ſuch agreement ſhall be reduced into writing by deeds executed between the ſaid corporation and the ſaid ſubſcribers; which ſubſcribers ſhall bind themſelves to the execution of the ſaid work according to ſuch agreement under a penalty, or under terms of forfeiting all property and benefit in the ſaid work, at the diſcretion of the ſaid corporation.

ſubſcribers bound to the execution under penalty or forfeiture of property.

CHAP.

A. D. 1771-2.

CHAP. V.

An act for the more effectual puniſhing wicked and diſorderly perſons, who have committed, or ſhall commit, violences, and do injuries to the perſons or properties of any of his Majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them; or who ſhall deliver or publiſh threatening letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties, or any of them; and for the more effectual bringing to juſtice certain offenders therein mentioned.

Recital 29 *G.* 2. c. 12. ſ. 3.

WHEREAS by an act paſſed in this kingdom in the twenty ninth year of his late Majeſty George the ſecond it is amongſt other things enacted, that from and after the firſt day of May one thouſand ſeven hundred and fifty ſix if any perſon or perſons ſhall unlawfully or maliciouſly ſet fire to any houſe, out houſe, barn, or ſtable, or to any haggard, ſtack, or rick of corn, ſtraw, hay, or turf, or to any ſhip or boat, although the ſame ſhall not be burned, or ſhall be procuring, aiding, or aſſiſting in any of ſaid offences, or in the wilful or malicious killing, maiming, or houghing any horſes, horned cattle, or ſheep, every perſon ſo offending, being legally convicted, ſhall be adjudged guilty of felony, and ſhall ſuffer death as in caſes of felony without benefit of clergy; which ſaid act has ſince been made perpetual: and whereas by another act, paſſed in this kingdom in the fifth year of his preſent Majeſty, it is amongſt other things enacted, that any perſon or perſons, who ſhould by force or menaces impoſe or tender any oath or oaths, or any other ſolemn engagement, on any other perſon or perſons in order thereby to compel him, her, or them, to commit or conceal any unlawful act or acts, ſhould on conviction thereof be deemed guilty of felony without benefit of clergy: and whereas the offences againſt ſaid acts have in defiance thereof been in a moſt outrageous manner lately committed in the ſaid counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone by a number of diſorderly and wicked perſons, who have entered into confederacies to aſſiſt and ſupport each other, and have procured by threats and promiſes ſeveral of his Majeſty's ſubjects to join with them; and have ſent letters with fictitious names, and ſome without name, to ſeveral perſons demanding arms and money; and have otherwiſe demanded arms, or forcibly, or by threats, taken and obtained arms from ſeveral of his Majeſty's ſubjects, and have threatened violence, if ſuch their unlawful demands ſhall be refuſed, or if they ſhould be proſecuted for ſuch their wicked practices, and have in purſuance of ſuch threats actually done great damage to ſeveral perſons, who have either refuſed to comply with ſuch demands, or have endeavoured to bring them to juſtice, to the great terror of his Majeſty's peaceable ſubjects, the hindrance of trade and induſtry, and the endangering of the peace and good government of this kingdom: therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons in the ſaid counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them, from and after the ſecond day of April one thouſand ſeven hundred and ſeventy-two ſhall maliciouſly and wilfully pull down or deſtroy, or begin to pull down or deſtroy, the houſes or outhouſes, or mills, warehouſes, or other houſes for trade or manufacture, of of any perſon or perſons in any of the ſaid counties, or ſhall knowingly ſend, deliver, affix in any publick place, or otherwiſe publiſh, or cauſe to be ſo ſent, delivered,

perpetual by 2 *G.* 3. c. 17.

5 *G.* 3. c. 8. ſ. 6.

in *Antrim*, *Down*, *Armagh*, *Derry*, or *Tyrone*, to deſtroy or begin to deſtroy houſes, mills, &c.

ſend or publiſh letters extorting, or threatning to

ed, affixed, or otherwiſe publiſhes, any letter or paper ſigned with a real or a fictitious name, or without any name ſubſcribed thereto, for the purpoſe of extorting from any perſon or perſons money, arms, or other valuable thing, or threatening danger to any perſon or perſons, or to his, her, or their property, in order to deter any perſon or perſons from letting or taking any leaſe or leaſes of lands, or tythes, or other property whatſoever, or from collecting or managing of tythes, or who ſhall forcibly or by threats unlawfully take or obtain arms from any of his Majeſty's ſubjects, or who ſhall wilfully and maliciouſly ſhoot at any perſon or perſons with intent to wound, kill, or maim, although ſuch perſon ſo ſhot at may not be killed, maimed, or wounded, every perſon, being lawfully convicted of the ſaid offences, ſhall be deemed and conſtrued to be guilty of felony without benefit of clergy.

deter letting or taking leaſes, or managing tithes, or taking forcibly arms, or ſhooting with intent to kill or wound, tho' not effected, felony without clergy.

II. And be it further enacted by the authority aforeſaid, that if any perſons to the number of five or more ſhall meet or aſſemble themſelves together for the purpoſe of preventing or obſtructing any collector of the publick money, or any conſtable, or other perſon lawfully appointed to collect or receive ſuch publick money and do or ſhall by force prevent or obſtruct ſuch collector, conſtable, or other perſon from collecting ſuch publick money, or if any perſon or perſons ſhall reſcue any perſon or perſons being lawfully in cuſtody of any conſtable, or other perſon, for any of the offences againſt the ſaid acts of the twenty ninth of his late Majeſty George the ſecond, and the fifth of his preſent Majeſty, or againſt this act, every perſon being lawfully convicted thereof ſhall ſuffer impriſonment in the common gaol for ſuch time not exceeding ſeven years, as the judge, before whom ſuch offender ſhall be ſo tried, ſhall direct, and ſhall alſo be publickly whipped in ſuch manner as often, and in ſuch places within ſuch county where ſuch offenders ſhall be convicted, as the ſaid judge ſhall direct or appoint.

If 5 meet to obſtruct collecting publick money, & forcibly obſtruct, or reſcue perſons in cuſtody under 29 G 2. c. 12, & 5 G 3. c. 8. or this act, impriſoned not above 7 years, & whipped.

III. And for the more effectual bringing to juſtice all ſuch who ſince the firſt day of January laſt have offended againſt the ſaid act of the twenty ninth of George the ſecond, or the fifth of his preſent Majeſty, or who ſince the ſaid firſt day of January have committed high treaſon or murder, or who ſhall hereafter offend againſt this act; be it enacted by the authority aforeſaid, that if any perſon or perſons in the ſaid counties, or any of them, and not then in actual cuſtody, ſhall be indicted for any of the offences aforeſaid, that after ſuch indictment the clerk of the crown ſhall forthwith certify under his hand and ſeal, and return a certificate of ſuch indictment to the principal or under ſecretary of the lord lieutenant, or other chief governor or governors of this kingdom of Ireland for the time being, who is hereby required to lay the ſame before the ſaid lord lieutenant, or other chief governor or governors, and privy council, whereupon it ſhall and may be lawful for the ſaid lord lieutenant, or other chief governor or governors, and the ſaid privy council to make an order thereby, requiring and commanding ſuch offender or offenders to ſurrender him or themſelves within the ſpace of fifty days to any of his Majeſty's juſtices of the court of chief place, commonly called his Majeſty's court of King's bench in this kingdom of Ireland, or to any of his Majſtey's juſtices of the peace in the ſaid kingdom, to the end that he or they may be forthcoming to anſwer the offence or offences, wherewith he or they ſhall ſo ſtand charged, according to due courſe of law, which order ſhall within ten days from the making thereof be printed and publiſhed in the Dublin Gazette, and proclaimed by the ſheriff of the county wherein the offence ſhall by the ſaid indictment be ſuppoſed to have been committed, between the hours of ten in the morning and two in the afternoon, in the market places, upon the reſpective market days of ſix market towns in the County, in which ſuch offences ſhall be committed, or charged to have been commited; and a true copy of ſuch order ſhall be affixed upon ſome publick place in each of the ſaid market towns reſpectively; and in caſe ſuch offender or offenders ſhall not ſurrender him or themſelves purſuant to ſuch order to be made in council as aforeſaid, he or they, ſo neglecting or refuſing to ſurrender him or themſelves as aforeſaid, ſhall from the day appoint-

If not in cuſtody, indicted for offence againſt 29 G. 2. c. 12, or 5 G 3. c. 8, or this act, or treaſon or murder, certificate of crown clerk returned to the ſecretary,

order of council to ſurrender in 50 days to a magiſtrate,

publiſhed in 10 in gazette

proclaimed by the ſheriff in 6 market towns, & copies affixed,

not ſurrendering deemed convict.

ed for his or their ſurrender as aforeſaid be adjudged, deemed, and taken to be convicted of the offence, with which he is charged in ſuch indictment, and ſhall ſuffer ſuch the like pains and puniſhments, as he would be ſubject to, if ſuch perſon had been convicted thereof by verdict; and that it ſhall be lawful to and for the ſaid court of King's bench, or the juſtices of oyer and terminer or general gaol delivery of any of the counties aforeſaid, where the offence is or ſhall be charged by ſuch indictment to have been committed, upon producing to them ſuch order in council under the ſeal of the ſaid council, and its being proved that ſaid order was duly proclaimed in ſaid market towns, and a copy thereof affixed on ſome publick place in each of ſaid market towns according to the directions aforeſaid, to pronounce judgment, and award, that ſuch offender and offenders ſhall ſuffer ſuch the like pains and puniſhments, as if he or they had been duly convicted by verdict of the offence and offences, of which he or they ſhall be charged in ſuch indictment, before ſuch juſtices of oyer and terminer or general gaol delivery reſpectively.

judgment thereon.

Knowingly concealing or abetting ſuch perſon impriſonment not above 4 years,

IV. And be it enacted by the authority aforeſaid, that all and every perſon and perſons, who ſhall after the time appointed as aforeſaid for the ſurrender of any perſon or perſons, ſo to be indicted as aforeſaid for any of the offences aforeſaid be expired, conceal, and abet, entertain, lodge, or ſuccour ſuch perſon or perſons knowing him or them to have been ſo indicted as aforeſaid, and to have been required to ſurrender him or themſelves by ſuch order or orders as aforeſaid, being lawfully convicted thereof, ſhall ſuffer impriſonment for any term not exceeding four years in the diſcretion of the judge.

If taken before the time for ſurrender expired, tried by due courſe of law.

V. Provided nevertheleſs, that nothing herein contained ſhall be conſtrued to prevent or hinder any judge, juſtice of the peace, magiſtrate, officer, or miniſter of juſtice whatſoever, from taking, apprehending, and ſecuring ſuch offender or offenders, againſt whom ſuch indictment ſhall be found, or ſuch information given, and for requiring whoſe ſurrender ſuch order in council ſhall be made as aforeſaid, by the ordinary courſe of law; and in caſe ſuch offender or offenders, againſt whom ſuch indictment ſhall be found, and for requiring whoſe ſurrender ſuch order in council ſhall be made as aforeſaid, ſhall be taken and ſecured in order to be brought to juſtice, before the time ſhall be expired, within which he or they ſhall be required to ſurrender him or themſelves by ſuch order in council as aforeſaid, that then and in ſuch caſe no further proceedings ſhall be had upon ſuch order made in council againſt him or them ſo taken and ſecured as aforeſaid; but he or they ſhall be brought to tryal by due courſe of law, any thing herein contained to the contrary in any wiſe notwithſtanding.

Indictments in counties where offence, tried by commiſſioners in county or city of *Dublin* by *certiorari*,

VI. And whereas there is great reaſon to believe, that ſuch wicked perſons have been greatly encouraged in the commiſſion of ſuch enormous crimes by their hopes of being acquitted, if to be tried by the petty juries of their reſpective counties: for the more impartial trial of all perſons ſo as aforeſaid offending be it enacted by the authority aforeſaid, that if any indictment or indictments for offences committed ſince the firſt day of January laſt, or which ſhall be committed againſt the ſaid acts of the twenty ninth of his late Majeſty George the ſecond, and the fifth of his preſent Majeſty, herein before mentioned, or either of them, or for high treaſon or murder committed ſince the firſt day of January laſt, or to be hereafter committed, or for any offence or offences which ſhall hereafter be committed againſt this act, ſhall be found in any of the ſaid counties where ſuch offences ſhall be committed, the offender or offenders to be mentioned in ſuch indictment or indictments may be proceeded againſt and tried upon ſuch indictment or indictments for ſuch offences before ſuch commiſſioners of oyer and terminer and general gaol delivery, as ſhall be aſſigned by the King's Majeſty's commiſſion under the great ſeal of this kingdom of Ireland by the good and lawful men of the body of the county of Dublin, or of the county of the city of Dublin, as reſpectively ſhall be appointed in ſuch commiſſion, and at ſuch place within the ſaid counties or either of them as ſhall be appointed in ſaid

as valid as if offence there,

commiſſion;

commiſſion; and ſuch proceeding ſhall be valid and effectual in the law, as if the offence had been done within the county, where the ſame ſhall be tried; and ſuch indictment or indictments in ſuch caſes ſhall be certified unto ſuch commiſſioners upon his Majeſty's writ of *certiorari*, to be iſſued for that purpoſe; and that in all ſuch caſes no challenge to the array or the polls ſhall lye, or be allowed, by reaſon that the jurors do not or have not come from the proper county or place, where the offence was committed, or by reaſon that the trial is out of the county or place, where ſuch offence was committed; but nevertheleſs upon the trials of ſuch offences the challenge to any juror for want of freehold in the county, where the ſame ſhall be tried by virtue of this act, and all other due challenges to jurors, ſhall be allowed; any thing in this preſent act contained to the contrary in any wiſe notwithſtanding.

no challenge to array or polls,

ſave want of freehold and other due challenges to jurors.

VII. Provided alſo, that no attainder for any of the offences, made felony by this act, ſhall make or work any corruption of blood, loſs of dower, or forfeiture of lands or tenements, or goods or chattles.

No corruption of blood or forfeiture.

VIII. And be it enacted by the authority aforeſaid, that the expence of the tranſmiſſion of the priſoners to Dublin, together with the expences of the witneſſes, and other neceſſary expences which may attend ſuch trial or trials, ſhall be raiſed by preſentment of the grand jury at the ſucceeding aſſizes, to be levied off the county at large, or barony, or pariſh where ſuch offence ſhall be committed, at the diſcretion of ſuch grand jury.

Expences preſented next aſſizes on the county, or barony, or pariſh, where offence.

IX. And be it further enacted by the authority aforeſaid, that in caſe any perſon ſo tried in Dublin ſhall be then and there acquitted, it ſhall and may be lawful for the grand jury of the county, wherein ſuch offence was charged to have been committed, if they ſhall think fit, at the ſucceeding aſſizes to preſent a reimburſement of ſuch ſum, as the perſon ſo acquitted ſhall by affidavit make appear has been neceſſarily incurred by ſuch removal of his trial, provided ſuch ſum does not exceed the ſum of twenty pounds.

And if acquitted, expence by removal on affidavit reimburſed if grand jury think fit,

not to exceed 20l.

X. And whereas ſeveral of the quiet and peaceable inhabitants of the counties aforeſaid have by ſuch unlawful proceedings ſuſtained conſiderable loſs and damage, and it is juſt and reaſonable, that ſatisfaction ſhould be made to them for the ſame; and it may prove a great diſcouragement to ſuch unlawful and wicked proceedings throughout this kingdom, if the grand juries of the ſeveral counties within the ſame ſhould have a power of preſenting the damages to be hereafter ſuſtained by any perſon or perſons by ſuch unlawful proceeding to be levied off the inhabitants of the county at large, or off the barony or pariſh where ſuch offences are committed, as to them ſhall ſeem moſt reaſonable: wherefore be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the grand juries of the counties aforeſaid, and every of them, if they ſhall think fit, at any aſſizes to be held hereafter for the ſaid counties, or any of them, to preſent the whole, or ſuch part as they ſhall think reaſonable, of the damages which it ſhall appear to them to have been ſuſtained by any perſon or perſons by the means of the unlawful proceedings before mentioned from the ſaid ſecond day of April, one thouſand ſeven hundred and ſeventy two, to be levied off the county at large, or off ſuch barony or baronies, pariſh or pariſhes, in ſaid county, within which the offences, whereby ſuch damage ſhall be occaſioned, have been committed, as they ſhall order and appoint by ſaid preſentment, and to be payable by ſuch different ſums or gales, and at ſuch time or times, as they ſhall alſo in ſaid preſentment appoint; and ſuch ſums ſhall be applotted, levied, and collected, by the ſame perſons, and in the ſame manner, in which the money preſented for the making and repairing the publick roads are now applotted, levied, and collected.

Grand jury may preſent the whole or any part of damages ſuſtained,

levied as road money.

XI. And be it enacted by the authority aforeſaid, that if at any time hereafter in any of the counties aforeſaid any perſon ſhall ſuſtain damage in his property by having his or her cattle maliciouſly and wilfully maimed or killed, or by having his houſes, outhouſes, mills, warehouſes, or houſes for the uſes of trade or manufacture, or his hay, turf, corn, ſtraw, wood, or other effects, wilfully or maliciouſly

Or of damages by maiming or killing cattle, burning or injuring houſes or effects.

maliciously burned, or set fire to, or otherwise destroyed or injured; in all such cases it shall and may be lawful to and for the grand jury of the county, wherein such offences shall be committed, if they shall think fit, to present the whole or such part of said damage, as they may judge proper, to be levied off the county at large, or off the barony or baronies, parish or parishes in such county, within or near to which such offences shall be committed, and to be payable by such different sums or gales, and at such time and times, as they shall order and appoint in such presentments; and that all such sum and sums of money, so as aforesaid to be presented, shall be applotted and shall be levied and collected by the same persons, and in the same manner, as the money presented for the making and repairing the publick roads by the laws now in being is appointed to be applotted, levied, and collected.

Notice by claimant n 24 hours to next village,

XII. Provided always, that no person shall be entitled to recover such his damage to be sustained as aforesaid, unless it shall appear to the grand jury and the court, who are to confirm such presentment, that the person claiming to be satisfied for such damage by himself or his servant, or other person appointed by him for that purpose, within twenty four hours after the mischief so done to such person's property, did give notice to some of the inhabitants of the town or village next to the place, where such offence shall be committed; and shall within four days after give information by the oath of himself, or some of his servants, or other persons best acquainted therewith, before some neighbouring magistrate, concerning said offence, and shall become bound himself, or procure such other persons to become bound before said magistrate for the prosecuting all or any of the persons, who shall appear to be any way concerned in said offences, at the next assizes to be held for said county.

and information on oath in 4 days,

nd bound to rosecute next ssizes.

Presentment above 20l. traversed,

XIII. Provided, that if any persons shall find themselves aggrieved by any presentment to be made in pursuance of this act, such persons, in case the sum presented to be raised do exceed twenty pounds, may at said assizes traverse the presentment thereof, which traverse shall be tried at the same or next assizes, as the judge, who shall allow the same, may think fit; and if on the trial of such traverse, the issue shall be found for the traversers, such presentment shall be discharged; and if the issue shall thereupon be found against the traverser, they shall pay to the persons, on whose behalf the presentment was made, five pounds for costs, and said presentment shall be thereupon conclusive to all parties.

if found for presentment, conclusive, and 5l. costs.

Notice of intent to recover satisfaction, in writing forthwith to high or petty constable.

XIV. And provided also that every person, intending to recover satisfaction for such damage as aforesaid, shall forthwith give notice in writing to the high constable of the barony or petty constable of the parish, in which such damage was sustained, of such his intentions; to the end that such high or petty constable may give notice thereof to the inhabitants of such barony or parish designed to be charged therewith, that they may be provided and have an opportunity to bring evidence for themselves, and to oppose the making such presentment, or traverse the same after it shall be made.

Such presentment not removed by *certiorari* nor delayed, nor quashed for informality.

XV. And be it enacted by the authority aforesaid, that no such presentment shall be removed by *certiorari*, or the prosecution thereupon otherwise delayed than by such traverse; and that for such time only as shall be necessary for the trial of such traverse, nor shall any such presentment be quashed for any informality.

Publick act,

XVI. And be it further enacted by the authority aforesaid, that this act shall be deemed and considered as a publick act, and judicially taken notice of as such, and shall continue in force from the second day of April one thousand seven hundred and seventy two for the space of two years, and until the end of the then next session of parliament, and no longer.

continued from 2d *April* 1772, 2 years and next session.

5. advanced by the sheriff to offender before removal to *Dublin* for his witnesses,

XVII. Provided also, that the sheriff of the county, from whence any of said offenders shall be removed to take his tryal in the county of Dublin, or the county of the city of Dublin, shall advance and pay to every such offender, before

his removal from such county, the sum of five pounds, to enable such offender to defray the charges and expences of the attendance of his witnesses; which sum or sums, so to be advanced by such sheriff, shall be presented by the grand jury of such county at the next assizes, and levied off the county at large, or off the barony or parish, within which the offence, for which such person is indicted, shall be committed, at the discretion of such grand jury, and repaid to such sheriff. A. D. 1771-2. repaid by presentment.

XVIII. And be it enacted by the authority aforesaid, that this act, and every clause therein contained, shall be read publickly in open court on the second day of every assizes, and the first day of every quarter sessions of the peace, in each and every of the counties aforesaid. Read every assizes and sessions in said counties.

CHAP. VI.

An act for amending and explaining a proviso or clause contained in an act, passed in the fourteenth and fifteenth years of the reign of King Charles the second, intituled, An act for settling the subsidy of poundage, and granting a subsidy of tonnage, and other sums of money, unto his royal Majesty, his heirs and successors, the same to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed.

WHEREAS by an act passed in the fourteenth and fifteenth years of the reign of his Majesty King Charles the second, intituled, *An act for settling the subsidy of poundage, and granting a subsidy of tonnage, and other sums of money unto his royal Majesty, his heirs and successors, the same to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed*, reciting, that by the laws of this realm our sovereign lord the King, and his heirs, are to have, receive, and levy one subsidy of poundage (that is to say) for all and every twenty shillings of all manner of merchandizes and wares, brought into this realm of Ireland by any person or persons, to be sold within the said realm, twelve pence of lawful money of England, wine and oil only excepted, and reciting that as the prices of all such merchandizes and wares brought in and sold, and the duties therefore, or subsidy of poundage of the same was uncertain, and not possibly to be had, received, and levied in so regular a way, as the nature of such an affair required, unless some certain and set rates be conceived, by which the said duty and subsidy may be paid, it is by the said act, amongst other things enacted, that the rates mentioned and expressed in one book of rates thereunto annexed, entitled, as in the said act is particularly expressed, shall be the rates, according to Recital 14 and 15 C. 2. c. 9. and poundage on imports as by book of rates,

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which all goods and merchandizes of every merchant, natural born ſubject, denizens and aliens, to be brought into all or any part of this realm, or carried out of the ſame, of the value of every twenty ſhillings of the ſame goods and merchandizes, according to the ſeveral and particular rates and values of the ſame goods and merchandizes, as they are particularly and reſpectively rated and valued in the forementioned book, ſhall pay twelve pence Engliſh money; and that the ſaid book of rates, together with certain rules, orders, and directions, thereunto annexed, entitled, as in the ſaid act is expreſſed, and every article, clauſe, ſentence, and rule, in the before-mentioned book of rates, and certain rules, orders, and directions aforeſaid, ſhould from and after the firſt day of December one thouſand ſix hundred and ſixty one be and remain as effectual to all intents and purpoſes as aforeſaid, as if the ſame had been particularly included in the body of the ſaid act: and whereas in the ſaid book of rates, ſo annexed to the ſaid act, ſpirits perfectly made are rated at one pound or twenty ſhillings the gallon, whereby a duty of twelve pence as aforeſaid is impoſed upon each and every gallon of ſuch ſpirits, brought into this realm of Ireland by any perſon or perſons to be ſold within the ſaid realm: and whereas amongſt the ſaid rules, orders, and directions, annexed to the ſaid act, there is a rule, whereby amongſt other things it is provided, that all ſugars, indigo, ginger, cotton, wools, as all other wools, and all other commodities of the growth or manufacture of any of the Engliſh plantations, firſt imported into and landed in England or Wales, and afterwards exported from thence into this your Majeſty's kingdom of Ireland, do pay but half part of all ſuch cuſtom and ſubſidies, as according to the ſaid book of rates is impoſed and ſet upon the ſaid commodities; and whereas notwithſtanding by the laws in being rum may be imported into this kingdom immediately from his Majeſty's ſugar colonies without being imported into and being landed in Great Britain or Wales; yet nevertheleſs in order to avoid one moiety or half part of the cuſtom or duty, impoſed by the ſaid recited act, great quantities of rum and ſpirits of the growth and manufacture of his Majeſty's ſugar colonies and plantations, and brought from thence, have of late been imported into and landed in Great Britain or Wales, and afterwards exported from thence into this kingdom, whereby, not only great delay and hazard hath ariſen in the carriage and importation of ſuch rum and ſpirits, but a great loſs and njury hath thereby happened to your Majeſty's hereditary revenue,

ſpirits perfect rated at 1l. *per* gallon, duty 12d. *per* gallon on import for ſale,

by the 53d rule annexed, *plantation* commodities firſt imported to *England* thence to *Ireland*, pay but half cuſtom as rated,

altho' rum may be imported immediately from the colonies, yet to avoid half duty firſt landed in *Great Britain* or *Wales*, tho' not in contemplation of the act,

thereby delay and hazard, and loſs to revenue.

nue, which hath thereby been deprived of one half part of the cuſtom and duty meant and intended to be granted by the ſaid act, although ſuch rum and ſpirits could not have been in the contemplation of the makers of the ſaid act; for remedy whereof, and to the end that all rum and ſpirits, which ſhall be imported into this kingdom, may be ſubject to and pay to his Majeſty, his heirs and ſucceſſors, the full and whole cuſtom and duty impoſed by the ſaid act according to the ſaid book of rates upon rum or ſpirits perfectly made, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of May one thouſand ſeven hundred and ſeventy two the ſaid proviſo or rule herein-before recited, and all and every proviſo, rule, order, direction, or clauſe annexed to or contained in the ſaid act, whereby rum and ſpirits, as a commodity of the growth or manufacture of any of his Majeſty's plantations may or might be exempted from one half part of the cuſtom or duty by the ſaid act and book of rates impoſed and ſet, ſhall, as to rum and ſpirits to be hereafter imported into this kingdom as aforeſaid be wholly repealed and of none effect, and the ſame is and are hereby repealed, made void, and of none effect, as to all ſuch rum and ſpirits which ſhall hereafter be imported into this kingdom as aforeſaid, as though ſuch proviſo, rule, order, direction, or clauſe, had never been made; any thing in the ſaid recited act, or in the ſaid rules, orders, and directions, to the contrary notwithſtanding.

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that the full duty may be on rum and ſpirits, the 53d rule annexed to 14 and 15 *C.* 2. *c.* 9. and every other proviſo exempting rum and ſpirits from half duty, repealed as to them.

CHAP. VII.

An act for the further improvement of his Majeſty's revenue, and the more effectual preventing of frauds therein; and for continuing and amending ſeveral laws heretofore made, and now in force, relative to his Majeſty's ſaid revenue.

WHERAS the ſeveral laws heretofore made for the improvement of his Majeſty's revenue, and the prevention of frauds therein, have on account of many clandeſtine practices, made uſe of to elude the ſame, proved ineffectual to anſwer the ſeveral purpoſes thereby intended: be it enacted by the king's moſt excellent Majeſty, by and with the advice and conſent of the

Revenue laws from clandeſtine practices ineffectual.

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the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two no debenture ſhall be iſſued, nor any drawback, allowance, or repayment made for any tobacco, ſpirits, or ſtrong waters whatſoever, when exported or entered outwards for exportation to any part or parts beyond the ſeas, unleſs ſuch ſpirits or ſtrong waters be ſhipped and exported in caſks or veſſels containing fifty gallons gauge, or upwards; and ſuch tobacco in packages containing five hundred pounds weight at the leaſt, and in ſome ſhip or veſſel of the burthen of one hundred tons or upwards; and if any perſon or perſons whatſoever ſhall ſhip or cauſe to be ſhipped any tobacco, ſpirits, or ſtrong waters for exportation, for which he or they ſhall claim any drawback, allowance, or repayment in any ſhip or veſſel under the burthen of one hundred tons, or in packages or quantities leſs than is hereby directed, all ſuch tobacco, ſpirits, and ſtrong waters ſhall be forfeited; and if any drawback, allowance, or repayment ſhall have been made or paid, the ſame ſhall be repaid by the perſon or perſons, who received the ſame, to the collector of the port who paid the ſame, to be accounted for to his majeſty: and all and every perſon and perſons, who ſhall ſhip or cauſe to be ſhipped any ſuch tobacco, ſpirits, or ſtrong waters for exportation in any ſhip or veſſel under the burthen of one hundred tons, or in packages or quantities leſs than is hereinbefore directed, ſhall forfeit the ſum of twenty pounds for each caſk or package.

no drawback on ſpirits or ſtrong waters, unleſs exported in 50 gallon caſks,

nor tobacco, unleſs in 500l. packages,

in veſſels 100 tons,

if ſhipped otherways, forfeited, and 20l. per caſk or package, and drawback repaid.

II. And be it further enacted by the authority aforeſaid, that no drawback, payment, or allowance ſhall be made or allowed for any tobacco, which is or ſhall with intent fraudulently to increaſe the drawback be mixed with rubbiſh or dirt, or with any other matter or thing whatſoever; and all and every perſon or perſons, who ſhall enter or ſhip, or cauſe to be entered or ſhipped for exportation, tobacco ſo mixed with rubbiſh or dirt, or with any other matter or thing whatſoever, or who ſhall enter any thing as tobacco for exportation, and which upon examination by the proper officer ſhall appear not to be tobacco, ſhall forfeit all ſuch goods, and the caſks or other package in which they are contained, and alſo the ſum of twenty pounds for each and every caſk or other package.

Tobacco mixed with rubbiſh or matter to increaſe drawback, none allowed,

forfeited with the package and 20l. each,

or on falſe entry.

III. And whereas by an act made in the thirty third year of the reign of his late Majeſty king George the ſecond, entituled, *An act for the better regulating the collection of his Majeſty's revenue,*

33 G. 2. c 10. ſ. 78, allowing private ſtills of 12 gallons, encouraging

and for preventing of frauds therein; and for repealing an act made the laſt ſeſſions of parliament, entituled, an act for continuing and amending ſeveral laws heretofore made, relating to his majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act and continued thereby, it was among other things provided, that all and every perſon or perſons, who ſhould diſtil ſpirits, aquavitæ, or ſtrong waters for his or their own uſe only, and not for ſale, ſhould and might in their reſpective places of abode keep and make uſe of any ſtill, blackpot, or alembick, which ſhould contain no greater or larger quantity of waſh or potale than twelve gallons: and whereas it has been found from experience, that great frauds have been committed by private diſtillers for ſale by means of the ſaid recited proviſo, and that private diſtillers are prejudicial to the kingdom in general by encouraging an immoderate uſe of ſpirituous liquors among the lower claſs of the people, to the great detriment of the health of his Majeſty's ſubjects: for remedy whereof be it enacted by the authority aforeſaid, that the ſaid recited proviſo in the ſaid recited act, made in the thirty third year of the reign of his late Majeſty be repealed, annulled, and made void, to all intents and purpoſes, and that from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy two no perſon or perſons whatſoever (except ſuch as ſhall be licenſed as herein after is provided) ſhall have or keep in his or their cuſtody or poſſeſſion, or ſhall make uſe of, any ſtill, blackpot, alembick, or other veſſel for the making and diſtilling any ſpirits, aquavitæ, or ſtrong waters whatſoever, which ſhall not hold or contain at leaſt two hundred gallons of liquid meaſure, upon pain of forfeiting ſuch ſtill, blackpot, alembick, or other veſſel, and alſo the ſum of twenty pounds for every ſuch offence, together with all the waſh, pot ale, ſinglings, low wines, and ſpirits found in any ſuch veſſel, to be recovered in manner herein after mentioned.

fraud by private diſtillers for ſale and immoderate uſe of ſpirits, repealed;

none, unleſs licenced under 200 gallons,

or forfeited with contents and 20l.

IV. Provided always, that it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's revenue of exciſe, or any one of them, or for any collector of exciſe within his diſtrict, and they are hereby reſpectively required, on application made to them, or any of them for that purpoſe, to grant and iſſue without fee or reward a licence or licences to any chymiſt, apothecary, or druggiſt, to keep or make uſe of one or more ſtill or ſtills, blackpot or blackpots, alembick or alembicks, of ſuch dimenſions, and no other, as ſhall be mentioned by ſuch chymiſt,

Licences gratis to chymiſt, apothecary, druggiſt, for ſtills ſpecified, for medicinal, compound, or cordial waters only,

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apothecary, or druggiſt, and ſhall be ſpecified in ſuch licence, for the making and diſtilling of medicinal, compound, or cordial waters, only.

On bond with ſureties in 100l. not to ſell ſpirits, nor lend or hire ſuch ſtill.

V. Provided nevertheleſs, that before any ſuch licence ſhall be granted, every chymiſt, apothecary, and druggiſt, applying for the ſame, ſhall previous to the iſſuing thereof enter into a bond to his Majeſty with one or more ſurety or ſureties in the penal ſum of one hundred pounds ſterling, conditioned not to ſell any ſpirits whatſoever (other than and except medicinal, compound, and cordial waters only) nor to lend or let out for hire any ſuch ſtill, blackpot, or alembick, to any perſon whatſoever: and in caſe the condition of ſaid bond, ſo to be entered into, ſhall at any time be broken by any perſon or perſons whatſoever, the ſaid bond ſhall be valid and effectual in the law for the recovery of the penalty or ſum therein contained; and the licence, granted to ſuch perſon or perſons, ſhall from and immediately after judgment had on his or her bond be null and void to all intents, conſtructions, and purpoſes, whatſoever.

Licences for 12 gallon ſtills for medicinal waters or experiments.

VI. Provided alſo, that it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's revenue of exciſe, or any three or more of them, to grant and iſſue a licence or licences to ſuch perſon or perſons, as they ſhall think proper, to keep and make uſe of one or more ſtill or ſtills, blackpot or blackpots, alembick or alembicks, at their diſcretion, not exceeding twelve gallons dimenſions each, for the making and diſtilling of certain waters, commonly called medicinal waters, or for making experiments and diſcoveries in natural philoſophy: any thing herein contained to the contrary notwithſtanding.

To prevent concealed unſtatutable ſtills,

VII. And whereas ſeveral private perſons have frequently concealed unſtatuteable ſtills, blackpots, and alembicks, for the making or diſtilling of low wines, ſpirits, and aquavitæ, in their houſes, offices, and other places, and have refuſed to admit the officers of his Majeſty's revenue to enter and ſearch for the ſame; or if they are permitted, ſuch officers to enter and ſearch, they have prevented their ſeizing and carrying away the ſame, to the great diminution of his Majeſty's revenue, and the manifeſt prejudice of the fair diſtiller: for remedy whereof be it further enacted by the authority aforeſaid, that if any officer of his Majeſty's revenue of exciſe ſhall from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy two ſatisfy any juſtice of the peace or chief magiſtrate (not being an officer of the revenue) by information upon oath in writing, in which information he ſhall ſet forth the grounds of his ſuſpicion, that

on information on oath in writing by exciſe officer of probable cauſe to ſuſpect concealment, a magiſtrate (not revenue officer) may by war-

there

there is reaſonable or probable cauſe to believe, that any ſtill, black pot, or alembick, is concealed in any houſe, outhouſe, or other place or places of or belonging to any private perſon; that in every ſuch caſe it ſhall and may be lawful to and for ſuch juſtice of peace or chief Magiſtrate, if he ſhall ſee ſufficient foundation for the ſame, by warrant under his hand and ſeal to empower ſuch officer or officers, aſſiſted by the conſtable or other civil officer, in the day time, that is to ſay, from the twenty firſt day of March until the twenty firſt day of September in each and every year between the hours of ten o'clock in the morning and ſix o'clock in the afternoon; and from and after the twenty firſt day of September until the twenty firſt day of March between the hours of ten o'clock in the morning and three o'clock in the afternoon, in each and every year, and at no other times or hours, to enter into any houſe, outhouſe, or other place or places, of or belonging to any private perſon, to ſearch for ſuch ſtills, blackpots, or alembicks; and if entrance ſhall be refuſed or denied to ſuch conſtable, officer or officers, then, and in every ſuch caſe, it ſhall and may be lawful to and for ſuch conſtable or civil officer with the aſſiſtance of ſuch officer or officers after ſuch refuſal to break open and enter at the times before directed, into any ſuch houſe, outhouſe, or other place or places belonging to any ſuch perſon as aforeſaid, and to ſearch for ſuch ſtills, blackpots, or alembicks, as ſhall or may be concealed as aforeſaid: and in caſe any ſuch ſtill, blackpot, or alembick, ſhall be found, the ſame ſhall be ſeized, and deemed to be and remain forfeited, together with all the low wines, ſpirits, and aquavitæ, found or diſcovered in ſuch houſe, outhouſe, or other place or places; and it ſhall and may be lawful to and for ſuch officer or officers to ſeize, attach, and carry away the ſame; provided, that in any information, indictment, or civil action to be brought againſt ſuch officer or officers of his Majeſty's revenue of exciſe for ſuch entry, ſuch warrant of a juſtice of the peace ſhall not be a juſtification for ſuch officer or officers, unleſs ſuch officer or officers ſhall moreover prove, that he or they had ſuch reaſonable or probable cauſe of ſuſpicion as aforeſaid.

Warrant impower with aſſiſtance of civil officer by day to ſearch any private perſon's houſe or place for ſuch ſtills,

if entrance refuſed, may break open and ſearch,

ſuch ſtills found forfeited with contents and ſeized,

officer ſued muſt prove reaſonable ſuſpicion.

VIII. And whereas common diſtillers of ſtrong waters for ſale make uſe of various contrivances to prevent the officer of exciſe from gauging, or taking a true account of the liquors contained in their diſtilling veſſels: for remedy whereof, be it further enacted by the authority aforeſaid, that every common diſtiller or maker of low wines, *aquavitæ*, or ſpirits for ſale, ſhall cauſe all their caſks and veſſels, made uſe of in diſtilling the ſame, to be reſpectively

Veſſels placed convenient for gauging, or gauged on outſide, the charge binding.

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reſpectively placed in ſuch convenient ſituations, that the ſeveral and reſpective officers of exciſe may readily and effectually take the gauge thereof; and in default of ſuch caſks and veſſels being placed in ſuch ſituations as that the ſame can be gauged, the ſaid officers of exciſe are hereby directed and authorized to take the outſide dimenſions of ſuch caſks or veſſels, and to charge the duties of exciſe according to ſuch dimenſions, in as full and ample manner as if ſuch caſks or veſſels were of the like dimenſions within; which charge, ſo made as aforeſaid, ſhall be binding on every ſuch common diſtiller for ſale.

33 G. 2. c. 10. ſ. 73. recited,

IX. And whereas by the ſaid act made in the thirty-third year of the reign of his late Majeſty King George the ſecond, entitled, *an act for the better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein; and for repealing an act made the laſt ſeſſions of parliament, entitled, an act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's Revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in ſaid act, and continued thereby*, it was among other things enacted, that all and every perſon and perſons, who ſhould have or keep any brewhouſe, kieve, or pan, for brewing, and ſhould let out the ſame for hire, ſhould, before he, ſhe, or they ſhould let out ſuch brewhouſe, kieve, or pan, give notice in writing to the gauger or other officer of the diſtrict of the name and place of abode of the perſon or perſons, to whom he, ſhe, or they ſhould have agreed to let out ſuch brewhouſe, kieve, or pan, under the penalty therein expreſſed: and whereas no time is mentioned or appointed by the ſaid recited act for giving ſuch notice, as is thereby directed to be given as aforeſaid, whereby many inconveniencies have happened: therefore, be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two all and every perſon and perſons, who ſhall have or keep any brewhouſe, kieve, or pan for brewing, and ſhall let out the ſame for hire, ſhall before he, ſhe, or they ſhall let out ſuch brewhouſe, kieve, or pan, give notice in writing to, and ſerve the ſame on, the gauger or other officer of the diſtrict twenty four hours at leaſt, before ſuch perſon or perſons ſhall let out any ſuch brewhouſe, kieve, or pan for brewing, mentioning the name and place of abode of the perſon or perſons to whom he, ſhe, or they ſhall have agreed to let out ſuch brewhouſe, kieve, or pan, under the penalty of five pounds for every time

on letting out brewhouſe kieve, or pan for hire, 24 hours notice in writing to the officer, with the name and abode, penalty 5l.

time he, ſhe, or they ſhall let out ſuch brewhouſe, kieve, or pan, without giving ſuch notice as is hereby directed. A. D. 1771-2. Chap. 7.

X. Whereas great frauds are committed by common brewers, and others brewing and making beer and ale for ſale, by encreaſing their ſtrong beer and ale over and above the quantity declared to and gauged by the officer appointed to gauge and take an account of the ſame, and ſending out ſuch encreaſed quantity to retailers and others their cuſtomers without paying duty for the ſame: and whereas nonbrewing retailers frequently bring into their ſtock beer and ale brewed privately, and impoſe the ſame on the gaugers and other officers, employed to take an account of the ſame, as beer or ale bought from common brewers: and whereas it is difficult, as the law now ſtands, to prove the encreaſed quantity of beer and ale made and ſent out by common brewers as aforeſaid, and not eaſy to diſcover the frauds ſo committed by the nonbrewing retailers: be it enacted by the authority aforeſaid, that from and after the fourteenth day of Auguſt one thouſand ſeven hundred and ſeventy two every common brewer, or other perſon brewing or making any beer or ale for ſale, ſhall, when and as often as he, ſhe, or they ſhall deliver, or cauſe to be delivered, any beer or ale to any retailer or other perſon or perſons ſelling beer or ale, ſend and deliver therewith to ſuch retailer or other perſon ſelling beer or ale as aforeſaid, a certificate ſigned by ſuch common brewer, or other perſon brewing or making any beer or ale for ſale, his or their clerk or head ſervant, ſpecifying the real quantity thereof, and whether ſuch beer and ale were above ſix ſhillings the barrel price, or of ſix ſhillings or under, when brewed, and to whom and when particularly delivered; which certificate ſo ſigned as aforeſaid ſhall be accepted and taken by the perſon or perſons, to whom ſuch beer or ale ſhall be ſent and delivered as aforeſaid, and by him or them ſhall be given to the gauger of the walk, in which ſuch retailer or other perſon or perſons, ſo ſelling beer or ale as aforeſaid, ſhall reſide, on the next viſit ſuch gauger ſhall make, who is hereby required to enter a copy of the ſaid certificate in his gauge book, and to file the original at the exciſe office of the diſtrict, wherein he reſides; and in caſe any common brewer, or other perſon brewing and making any beer or ale for ſale as aforeſaid, ſhall not deliver or cauſe to be delivered to ſuch retailer, or other perſon or perſons ſelling beer or ale as aforeſaid, on the delivery of any beer or ale ſuch certificate, as herein before is mentioned, ſuch common brewer, or other perſons brewing and making beer or ale as aforeſaid, ſhall forfeit for every ſuch offence the ſum of five pounds; and in caſe any gauger or other officer of exciſe ſhall

Frauds by brewers ſending out increaſe above quantity declared and gauged, without duty.

and by retailers impoſing private brewing as bought from common brewer,

brewers ſhall with the beer or ale deliver to retailers a certificate, of real quantity, price to whom, and when,

further enforced 17 & 18 *G.* 3, *c.* 8, *ſec.* 10.

given to gauger next viſit,

booked,

and filed,

penalty 5*l.* on brewer,

retailer chargeable with duty on

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shall find in the possession of any such retailer of beer and ale any beer or ale, for which no certificate has been granted and produced as aforesaid, every such retailer shall in every such case be chargeable with the duty payable to his majesty on beer and ale, and shall also forfeit the sum of five pounds for every barrel found in his possession, for which no certificate has been granted and produced as aforesaid.

Beer and ale for which no certificate, and 5l. per barrel.

XI. And be it enacted by the authority aforesaid, that from and after the first day of June next there shall be no duty whatsoever paid to his Majesty, his heirs and successors, during the continuance of this act, for or on account of any timber, balk, deals, wainscot, or any other wood fit for building or manufacture, or rosin imported into this kingdom from any of his majesty's plantations in America, or the West Indies, in ships, the propery of any of his Majesty's subjects, being navigated according to law.

No duty on timber or wood for building or manufacture, or rosin from the plantations in subjects ships navigated as by law.

XII. Whereas the cambrick manufactures of this kingdom have received great prejudice by means of foreign cambricks and lawns fraudulently run into different parts of this kingdom, and sold under the denomination of British or Irish cambricks and lawns: for the prevention of such frauds be it enacted by the authority aforesaid, that any person or persons, who shall after the twenty fourth day of June one thousand seven hundred and seventy two introduce into any part of this kingdom any foreign cambricks or lawns, or shall, knowing the same to be foreign cambricks or lawns, offer the same to sale as British or Irish cambricks or lawns, or shall denominate such foreign cambricks or lawns or assert the same to be British or Irish cambricks or lawns, knowing the same to be foreign cambricks or lawns, shall for every such offence, over and above the forfeiture of such foreign cambricks or lawns, forfeit the sum of fifty pounds, one moiety thereof to be paid and applied to the use of the governor and company for carrying on the cambrick manufacture in Dundalk or elsewhere in this kingdom; and the other moiety to the informer or informers.

Foreign cambrick or lawn, offered as *British* or *Irish*, forfeited, and 50l. to the manufacture and informer.

XIII. And whereas the clandestine and illicit importation of several goods and merchandizes is carried on upon the coasts of this kingdom (and more especially by vessels of or belonging to the ports of Rush, Skerries, Malahide, Rogerstown Bay, Buldoyl, and Howth) by force of arms, and in open defiance of law, and the civil power by law established, to the great detriment of his Majesty's revenue, to the prejudice of the fair trader, and increase of all sorts of enormities among the lower ranks of

Resisting with arms officer's entry or seizure on board vessels within any port or harbour or three leagues of the shore, the vessel, guns &c. & prohibited goods therein forfeited.

of people: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy two if any perſon or perſons on board any ſhip, boat, or veſſel, being within the limits of any port or harbour of this kingdom, or being within three leagues of any of the ſhores of this kingdom, ſhall with arms forſibly reſiſt or prevent any officer of his Majeſty's revenue from boarding or entering into ſuch ſhip, boat, or veſſel, to ſee, ſurvey, and make ſearch for exciſeable goods and commodities, that may be found therein; or elſe, permitting them ſo to do, ſhall after ſuch entry make reſiſtance, and by force of arms ſhall prevent or hinder ſuch officer or officers from ſeizing and carrying away any ſuch exciſeable goods or commodities, which by any law now in being they have power to ſeize, then, and in either of the ſaid caſes, ſuch ſhip, boat, or veſſel, with all her guns, tackle, furniture, ammunition, and apparel, and all prohibited goods and commodities found therein, ſhall be forfeited, and ſhall and may be ſeized and proſecuted as herein after directed.

reſiſting though not with arms, 15 and 16 G. 3. c. 15. ſ. 7.

XIV. Provided always, that if ſuch forceable reſiſtance ſhall be given contrary to the intentions and endeavours of the crew, or a majority of them, the clauſe herein before mentioned, or any thing herein contained, ſhall not extend to any ſuch caſe.

Unleſs contrary to intent and endeavours of the crew or a majority.

XV. And whereas by the ſaid act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, it is among other things enacted, that every porter, carman, or other perſon whatſoever, who ſhould at any unſeaſonable hour, or from any unlawful place, draw, carry, or convey, any goods or merchandizes exciſeable in any coach, cart, waggon, tumbrell, or other manner of draught, or elſe by way of burthen; and every porter, carman, or other perſon, that ſhould knowingly at any other time whatſoever, though ſeaſonable, load, drive, carry, or convey any goods and merchandizes, which ſhould have been landed or laid on ſhore, before entry firſt made, at any unſeaſonable hour, or at any unlawful place, ſhould for his or their ſo doing not only loſe and pay five pounds, to be levied by diſtreſs, or elſe puniſhed as therein is directed; but the coach, cart, or other draught, with the horſes or cattle drawing of them, or their value, ſhould be forfeited and confiſcated: and whereas doubts have ariſen, whether the ſaid recited clauſe doth extend to a horſe, or other cattle, carrying

14 & 15 C. 2. c. 8. ſ. 15. extended to all cattle carrying by way of burthen or otherwiſe exciſeable goods not entered and duties paid.

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ing goods and merchandizes by way of burthen, and not drawing of the ſame: for remedy whereof, and for obviating and taking away all ſuch doubts, be it further enacted by the authority aforeſaid, that the ſaid recited clauſe ſhall extend to all horſes and other cattle whatſoever, that ſhall carry by way of burthen or otherwiſe any goods or merchandizes exciſeable, that have not been duly entered, and his Majeſty's duties paid according to law.

No replevin, deliverance, or recaption, without leave from exchequer, executed for goods ſeized run or detained for duty, unleſs acquitted by due courſe.

XVI. Be it further enacted by the authority aforeſaid, that no writ of replevin, writ of deliverance, or writ of recaption, ſhall at any time hereafter, without leave firſt obtained for that purpoſe from his Majeſty's court of exchequer, be executed for any goods or chattles, ſeized by any officer of exciſe for being run, or intended to be run, without payment of the duties payable to his Majeſty, or for goods and commodities detained to anſwer the payment of duties due and chargeable thereupon, to his Majeſty, unleſs ſuch goods and chattles ſhall be firſt acquitted by due courſe of law.

33 *G.* 2. c. 10.

VII. And be it further enacted by the authority aforeſaid, that the ſaid act, made in the thirty third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the laſt ſeſſions of parliament*, entitled, *An act for continuing and amending ſeveral laws heretofore made, relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exeiſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, aud continued thereby*; and alſo one other act made in

2 *G.* 3. c. 7.

the ſecond year of his preſent Majeſty's reign, entitled, *An act for continuing and amending an act*, entitled, *An act for the better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the laſt ſeſſions of parliament*, entitled, *An act for continuing and amending ſeveral laws heretofore made, relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the*

3 *G.* 3. c. 21.

ſaid act, and continued thereby, and alſo one other act made in the third year of his preſent Majeſty's reign, entitled, *An act for continuing and amending two ſeveral acts of parliament therein mentioned, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and for other purpoſes therein mentioned*,

5 *G.* 3. c. 16.

and alſo one other act made in the fifth year of his preſent Majeſty's reign, entitled, *An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectual*

preventing of frauds therein, and for other purpoſes therein mentioned, and alſo one other act made in the ſeventh year of his preſent Majeſty's reign, entitled, *An act for the further improvement of his Majeſty's revenue, and for continuing and amending ſeveral acts therein particularly mentioned,* and all and every the clauſes therein reſpectively contained (except ſuch parts thereof as are altered, repealed, or amended, by this preſent act, or by any or either of the ſaid recited acts) ſhall continue and be in force for the ſpace of two years, from the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and from thence to the end of the then next ſeſſion of parliament, and no longer.

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7 G. 3. c. 27. continued, ſave as altered 2 years &c. from 24 June 1772.

XVIII. Provided always, that the ſeveral clauſes contained in the act above recited, and ſaid to be made in the ſecond year of his preſent Majeſty's reign, relative to the appointment of the commiſſioners of exciſe and cuſtoms, ſhall be and remain perpetual, as in the ſaid act is declared.

Clauſes in 2 G. 3. c. 7 as to appointment of commiſſioners remain perpetual.

XIX. And be it further enacted by the authority aforeſaid, that all and every the fines, penalties, and forfeitures, inflicted by this act, or by the ſaid five ſeveral acts of parliament herein before laſt particularly mentioned and recited, or by any of them (other than and except ſuch as by this act, or by any of the ſaid five recited acts of parliament herein before laſt mentioned, are otherwiſe provided for) ſhall and may be ſued for, recovered, levied, and applied, in ſuch manner and form, and by ſuch ways and means, and with ſuch powers and authorities, as are preſcribed, directed, and appointed, in and by the ſaid act of parliament, made in the fourteenth and fifteenth years of the reign of king Charles the ſecond, entitled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted,* as fully and effectually to all intents, conſtructions, and purpoſes, as if the ſame were particularly mentioned, expreſſed, and re-enacted, in the body of this preſent act, with the like remedy of appeal to and for the party or parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid act of exciſe is provided.

All penalties by this or ſaid acts, except otherwiſe provided, levied and applied as by 14 and 15 *C.* 2. c. 8. with like appeal.

XX. Provided always, and be it enacted by the authority aforeſaid, that this act, and the ſeveral further proviſions hereby made, ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and from thence to the end of the next ſeſſion of parliament, and no longer.

Continued 2 years from 24 June 1772, &c. *and by* 13 *and* 14 *G.* 3. *c.* 7. *ſ.* 19 *and* 15 *and* 16 *G.* 3. *c.* 15. *ſ.* 30. *and* 17 *and* 18 *and* 19 *and* 20 *G.* 3.

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CHAP. VIII.

An act to prevent frauds committed by bankrupts

WHEREAS divers perſons actually exerciſing the trade of merchandize in groſs or by retail, ſeeking their living by buying and ſelling, as alſo ſcriveners, ſaleſmaſters, bankers, brokers, and factors, as well natural born ſubjects as denizens and aliens, do frequently abſcond, and keep their houſes, or otherwiſe ſeek to evade the payment of their juſt debts not ſo much by reaſon of actual loſſes or unavoidable misfortunes, as to the intent to defraud their creditors, and oftentimes make conveyances of their eſtates and effects, and execute bonds and other ſecurities, to ſome in prejudice to others of their creditors: and whereas many well diſpoſed perſons by the caſualties, to which trade is liable, are frequently laid under grievous hardſhips by the obduracy of one or more creditor or creditors, and are thereby prevented from doing that equal juſtice to their creditors in general, which they are willing to do: for remedy whereof be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June in the year of our lord one thouſand ſeven hundred and ſeventy two every perſon and perſons uſing or that ſhall uſe the trade of merchandize in groſs or retail, or ſeeking his, her, or their living by buying and ſelling, or dealing in exchange, or acting as ſcrivener, ſaleſmaſter, banker, broker, or factor, as well natural born ſubjects as denizens and aliens, who ſhall abſcond or depart from this realm, or begin to keep his, her, or their houſe or houſes, or otherwiſe abſent him or herſelf, ſo that his, her, or their creditor or creditors cannot have acceſs to him, her, or them, or take ſanctuary, or ſuffer himſelf or herſelf willingly to be arreſted without any juſt or lawful cauſe, or good conſideration or purpoſe, or ſhall ſuffer him or herſelf, or themſelves, to be outlawed, or yield him or herſelf or themſelves to priſon, or willingly or fraudulently procure him or herſelf or themſelves to be arreſted; or his, her, or their goods, money, or chattles, to be attached or ſequeſtered, or taken in execution, or depart from his, her, or their dwelling houſe, or make, or cauſe to be made, any fraudulent grant or conveyance of his, her, or their lands, tenements, goods or chattles, to the intent or whereby his,

Merchants in groſs or retail, living by buying or ſelling, in exchange, ſcrivener, &c. ſubjects, denizens, or aliens, who abſcond, or abſent from creditors, take ſanctuary, willingly ſuffer arreſt without cauſe, outlawry, or yield to priſon, procure arreſt, ſequeſtration, or execution, depart dwelling, convey to defeat or delay creditors,

his, her, or their creditors ſhall or may be defeated or delayed from the recovery of his, her, or their juſt and true debts, or ſhall by himſelf, herſelf, or themſelves, or by the means of others by his, her or their procurement, obtain any protection or protections, other than ſuch perſon or perſons as ſhall be lawfully protected by the privilege of parliament, or ſhall prefer or exhibit unto his Majeſty, his heirs or ſucceſſors, or unto any of the king's courts, any petition or petitions, bill or bills, againſt his, her, or their creditor or creditors, or any of them, thereby deſiring or endeavouring to compel or enforce them, or any of them, to accept leſs than his, her, or their juſt and principal debts, or to procure time or longer days of payment, than was given at the time of their original contracts; or, being arreſted for debt, ſhall after his or her arreſt lie in priſon two months or more upon that or any other arreſt or detention in priſon for debt; or, being atteſted for the ſum of one hundred pounds, or more, of juſt debt or debts, ſhall at any time after ſuch arreſt eſcape out of priſon; and every trader having privilege of parliament, who ſhall neglect to make ſatisfaction for any juſt debt to the amount of one hundred pounds, or more, within two months after ſervice of legal proceſs for ſuch debt, ſhall be deemed and adjudged bankrupts; and in the caſes of arreſts, or lying in priſon for ſuch debt or debts, ſhall be deemed bankrupt from the time of his, her, or their ſaid firſt arreſt.

obtain protection, ſave by privilege, petition or bill to compel acceptance of leſs, or for time,

2 months impriſonment for debt,

eſcape on debt 100l.

privileged, not ſatisfying juſt debt 100l. in two months after proceſs,

deemed bankrupts,

and from firſt arreſt.

II. Provided always, that no farmer, grazier, or drover of cattle, ſhall be entitled as ſuch to any of the benefits given by this act, or be deemed a bankrupt within the ſame, unleſs ſuch perſon or perſons ſhall actually and *bona fide* act as a ſcrivener, ſaleſmaſter, banker, broker, or factor, or dealer in exchange, or as a merchant or merchants, within the meaning of this act.

No farmer, grazier, or drover, intitled as ſuch.

III. And be it further enacted by the authority aforeſaid, that the lord chancellor of Ireland, or the lord keeper or commiſſioners for the cuſtody of the great ſeal of Ireland, for the time being, upon every complaint made to him or them in writing againſt ſuch perſon or perſons being bankrupt, as or are before defined, ſhall have full power and authority by commiſſion under the great ſeal of Ireland to name, aſſign, and appoint ſuch wiſe, honeſt, and diſcreet perſons, as to him ſhall ſeem good, who, or the major part of them, by virtue of this act and the ſaid commiſſion ſhall have full power and authority to take by their diſcretion ſuch order and direction with the body and bodies of ſuch perſon, whereſoever he or ſhe may be had, either in his

Commiſſioners appointed under the great ſeal,

majority may take order and direction with the body,

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or her houſe or houſes, privileged place, or elſewhere, as well by impriſonment of his or her body or bodies, as alſo with all his or her lands, tenements, hereditaments, or freehold, and all covenants of renewal of ſuch freehold which he or ſhe ſhall have, or be any way intitled to in his or her own right, before he or ſhe became bankrupt; and alſo with all ſuch lands, tenements, and hereditaments, as ſuch perſon ſhall have purchaſed or obtained for money or other recompence jointly with his wife, children, or child, or with any other perſon or perſons to the uſe of ſuch bankrupt or bankrupts, or of or for ſuch uſe, intereſt, right, or title, as ſuch bankrupt or bankrupts then ſhall have in the ſame, or in truſt to any ſecret uſe of ſuch bankrupt or bankrupts; and alſo with all lands, tenements, and hereditaments, whereof he or ſhe ſhall be any ways ſeized of any eſtate in tail in poſſeſſion, reverſion, or remainder, and whereof no reverſion or remainder is or ſhall be in the king's Majeſty, his heirs or ſucceſſors, of the gift or proviſion of his Majeſty, his progenitors, his heirs or ſucceſſors; and alſo with his or her money, goods, chattles, wares, merchandizes, and debts, whereſoever they may be found or known, and cauſe the ſaid lands, tenements, hereditaments, fees, annuities, offices, goods, chattles, wares, merchandizes, and debts, to be ſearched, viewed, rated, and appraiſed, to the beſt value they may, and by deed indented and inrolled in one of the king's courts of record to make ſale of the ſaid lands, tenements, and hereditaments, and of all deeds, writings, and evidences touching only the ſame, belonging to ſuch bankrupt or bankrupts, and alſo of all fees, annuities, offices, goods, and chattles, or otherwiſe to order the ſame for the true ſatisfaction and payment of the ſaid creditors; that is to ſay, to every of the ſaid creditors a portion rate-like according to the quantity of his or their debts, ſo that every creditor and creditors, having ſecurity for his or their ſeveral debts by judgment, ſtatute, recognizance, ſpecialty, with penalty or without penalty, or other ſecurity, or having no ſecurity, or having made attachments in Dublin, or any other place, by virtue of any cuſtom there uſed, of the goods and chattles of any ſuch bankrupt, whereof there is no execution or extent ſerved and executed upon any the lands, tenements, hereditaments, goods, chattles, and other eſtate of ſuch bankrupt, before ſuch time as he or ſhe ſhall or do become bankrupt, ſhall not be relieved upon any ſuch judgment, ſtatute, recognizance, ſpecialty, attachments, or other ſecurities, for more than a rateable part of their juſt and due debts, with the other creditors of the ſaid bankrupt, without reſpect to any ſuch penalty, or greater ſum contained in any ſuch judgment, ſtatute, recognizance, ſpecialty,

by impriſonment, lands, &c.

covenants of renewal, purchaſes,

eſtate tail, no reverſion in the crown,

goods, debts, &c.

and appraiſe,

and by indenture inrolled make ſale,

or otherwiſe order for ſatisfaction of creditors, rateably,

cialty, with penalty, execution, attachment, or other ſecurity; and that every direction, order, grant, bargain, ſale, conveyance, and other thing, done by the ſaid perſons ſo authorized as is aforeſaid, ſhall be good and effectual in the law againſt the ſaid bankrupt or bankrupts, his or their wife or wives, heir or heirs, child and children, and ſuch perſon and perſons as by ſuch joint-purchaſe with the ſaid bankrupt or bankrupts as is aforeſaid have or ſhall have any eſtate or intereſt in the premiſſes, and againſt all and every the iſſues of the bodies of ſuch bankrupt or bankrupts, and againſt all and every perſon and perſons claiming any eſtate, right, title, or intereſt, by, from, or under the ſaid bankrupt or bankrupts, after ſuch time as ſuch perſon ſhall become bankrupt, and againſt all and every other perſon and perſons whatſoever, whom the ſaid bankrupt by common recovery, or other ways or means, might cut off or debar from any remainder, reverſion, rent, profit, title, or poſſibility, in, to, or out of any of the ſaid lands, tenements, or hereditaments: and that if any perſon, who ſhall become a bankrupt, and hath heretofore granted, conveyed, or aſſured, or ſhall at any time hereafter grant, convey, or aſſure any lands, tenements, hereditaments, goods, chattles, or other eſtate, unto any perſon or perſons upon condition or power of redemption by payment of money, or otherwiſe, that it ſhall and may be lawful to and for the ſaid commiſſioners, or the major part of them, to aſſign and appoint under their hands and ſeals ſuch perſon or perſons, as they ſhall think fit, to make tender or payment of money, or other performance, according to the nature of ſuch condition, as fully as the bankrupt might have done; and that the ſaid commiſſioners, or the major part of them, ſhall, after ſuch tender, payment, or performance, have power to ſell and diſpoſe of ſuch lands, tenements, hereditaments, goods, and chattles, and other eſtates ſo granted, conveyed, or aſſured, upon condition, to and for the benefit of the creditors, as fully as of any other eſtate of the bankrupt.

ſuch direction, &c. good againſt bankrupt, wife, heir, children, joint purchaſers, iſſue, claimants under bankrupt, and ſuch as may be barred by recovery, &c.

may by tender, payment, or performance of condition redeem an eſtate as fully as the bankrupt,

and ſell for creditors as other eſtates,

IV. Provided, that no creditor or creditors of any ſcrivener, faleſmaſter, banker, broker, factor, dealer in exchange or merchandize, within the deſcription of this act, though for valuable conſideration, who ſhall ſue execution upon any judgment obtained by default, confeſſion, or *nil dicit*, ſhall avail him, her, or themſelves of ſuch execution to the prejudice of other fair creditors, but the perſon ſuing out the ſame ſhall be paid rateably only with other creditors.

Execution on judgment by default, &c. paid rateably only with others,

judgments prior to becoming ſuch dealer not affected.

V. Provided always, that nothing herein contained ſhall extend to any ſecurity or ſecurities by judgment, obtained before the bankrupt ſhall become ſcrivener, ſaleſmaſter, banker, broker, factor, dealer in exchange or merchandize; but all debts ſo ſecured ſhall have the ſame force and effect, priority, and preference, as if this act had not been made.

Nor purchaſe for good and valuable conſideration impeached, unleſs commiſſion ſued in 5 years.

VI. Provided alſo, and be it further enacted by the authority aforeſaid, that no purchaſe for good and valuable conſideration ſhall be impeached by virtue of this act, unleſs the commiſſion to prove him or her, who ſhall become a bankrupt, be ſued forth againſt ſuch bankrupt within five years after he or ſhe ſhall become a bankrupt.

Conveyance by bankrupt to children or others, tranſfer of debts in other's names, except on marriage of his children (the parties of years of conſent) or valuable conſideration, may be diſpoſed of, as if to his own uſe.

VII. And be it further enacted by the authority aforeſaid, that if any perſon, who ſhall be a bankrupt by the intent of this ſtatute, ſhall convey, or cauſe to be conveyed, to any of his or her children, or other perſon or perſons, any manors, lands, tenements, hereditaments, offices, fees, annuities, leaſes, goods, or chattles, or transfer his or her debts in other men's names, except the ſame ſhall be purchaſed, conveyed, or transferred for or upon marriage of any of his or her children (both the parties married being of the years of conſent) or ſome valuable conſideration, it ſhall be in the power and authority of the commiſſioners in this behalf to be appointed, or the major part of them, to bargain and ſell, grant, convey, demiſe, or otherwiſe to diſpoſe thereof, in as ample manner as if the ſaid debts were in the bankrupts own name, or as if the ſaid bankrupt had been actually ſeized or poſſeſſed of the like eſtate or intereſt to his or her own uſe, at ſuch time as he or ſhe became bankrupt; and that every ſuch grant, bargain, ſale, conveyance, and diſpoſition of the ſaid commiſſioners, or the major part of them, ſhall be good and available to all intents, conſtructions, and purpoſes in the law againſt ſuch bankrupt, his and her heirs, executors, adminiſtrators and aſſigns, and ſuch children and perſons, as ſhall be ſubject to this ſtatute, and againſt all other perſons claiming by, from, or under ſuch bankrupt, or ſuch other perſon or perſons to whom ſuch conveyance ſhall be made by the ſaid bankrupt, or by his or her means and procurement.

Acquiſitions by bankrupts before creditors fully ſatisfied may be diſpoſed of for creditors as the reſt.

VIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons, who ſhall be publiſhed and declared to be bankrupt by virtue of this act, ſhall at any time after purchaſe any lands, tenements, hereditaments, offices, fees, goods, or chattles, or that any lands, tenements, hereditaments, offices, fees, goods, or chattles, ſhall deſcend or revert, or by any means come,

come, to ſuch perſon or perſons being bankrupt, before ſuch time as their debts due to their creditors ſhall be fully ſatisfied and paid, or otherwiſe agreed for as is herein after mentioned, that then the ſaid lands, tenements, hereditaments, offices, fees, goods and chattles ſhall by virtue of this act by the ſaid commiſſioners to be appointed as aforeſaid, or the major part of them, be bargained, ſold, extended, delivered, and uſed for and towards the payment of the ſaid creditors in ſuch like manner and form, as other the lands, tenements, hereditaments, offices, fees, goods, and chattles of the ſaid bankrupts, which they had, when they were declared to be firſt bankrupt, ſhould or might have been bargained, ſold, diſpoſed or uſed by virtue of this act.

And alſo goods by conſent of true proprietor in bankrupt's poſſeſſion, order and diſpoſition as reputed owner,

except by conſignment or factorage.

IX. And be it further enacted by the authority aforeſaid, that if at any time hereafter any perſon or perſons ſhall become bankrupt, and at ſuch time ſhall by the conſent and permiſſion of the true owner and proprietor have in their poſſeſſion, order, and diſpoſition, any goods or chattles, whereof they ſhall be reputed owners, and take upon them the ſale, alteration, or diſpoſition as owners, ſuch goods excepted as ſhall be in the cuſtody of ſuch bankrupt by conſignment or factorage, that in every ſuch caſe the ſaid commiſſioners, or the major part of them, ſhall have power to ſell and diſpoſe of the ſame to and for the benefit of the creditors, who ſhall ſeek relief by the ſaid commiſſion, as fully as any other part of the eſtate of the ſaid bankrupt.

HARVARD LAW SCHOOL LIBRARY

One petitioning creditor's debt or of two partners muſt amount to 100l.

of two 150l.

of three or more 200l.

affidavit before a maſter by all petitioning creditors of the truth and reality of the debts,

and bond to lord chancellor in 300l.

X. And be it enacted by the authority aforeſaid, that no commiſſion of bankrupt under the great ſeal of Ireland ſhall be awarded and iſſued out againſt any perſon whatſoever upon the petition of one or more creditors, unleſs the ſingle debt of the creditor, or of two or more perſons, being partners, petitioning for the ſame, do amount to the ſum of one hundred pounds or upwards, or unleſs the debt of two creditors ſo petitioning as aforeſaid ſhall amount to one hundred and fifty pounds, or upwards; or unleſs the debt of three or more creditors ſo petitioning as aforeſaid ſhall amount to two hundred pounds or upwards; and all the creditor or creditors petitioning for ſuch commiſſion ſhall, before the ſame ſhall be granted, make an affidavit or (being one of the people called quakers) make a ſolemn affirmation in writing before one of the maſters of the high court of chancery (which oath or affirmation they are hereby impowered to adminiſter, and which ſhall be filed with the proper officer) of the truth and reality of ſuch his, her, and their reſpective debt and debts, and likewiſe give bond to the lord chancellor, lord keeper, or commiſſioners of the great ſeal for the time being, in the

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penalty of two hundred pounds, to be conditioned for proving his, her, or their debt, as well before the commiſſioners named in ſuch commiſſion as upon a trial at law, in caſe the due iſſuing forth of the ſame ſhall be conteſted and tried, and alſo for proving the party a bankrupt at the time of taking out ſuch commiſſion, and further to proceed on ſuch commiſſion, as herein after is mentioned: and if ſuch debt or debts ſhall not be really due or owing, or if after ſuch commiſſion taken out it cannot be proved, that the party was a bankrupt at the time of the iſſuing of the ſaid commiſſion, but on the contrary it ſhall appear, that ſuch commiſſion was taken out fradulently or maliciouſly, that then the lord chancellor, lord keeper, or commiſſioners of the great ſeal for the time being, ſhall and may upon petition of the party or parties aggrieved examine into the ſame, and order ſatisfaction to be made to him, her, or them, for the damages by him, her, or them ſuſtained; and for the better recovery thereof may, in caſe there be occaſion, aſſign ſuch bond or bonds to the aggrieved party or parties ſo petitioning, who may ſue for the ſame in his, her, and their name and names.

for proving debt before the commiſſioners or on trial, bankruptcy, and for proceeding,

if the debt not real, bankruptcy not proved, or commiſſion fraudulent or malicious, examined on petition in chancery, and ſatisfaction ordered,

the bond, if occaſion, aſſigned, to ſue in party's name.

XI. And be it further enacted by the authority aforeſaid, that if any bankrupt or bankrupts ſhall after iſſuing of any commiſſion againſt him, her, or them, pay to the perſon or perſons, who ſued out the ſame, or otherwiſe give or deliver to ſuch perſon or perſons goods, or any other ſatisfaction or ſecurity for his, her, or their debt, whereby ſuch perſons or perſons ſuing out ſuch commiſſion ſhall privately have and receive more in the pound in reſpect of his, her, or their debt, than the other creditors, ſuch payment of money, delivery of goods, or giving great or other ſecurity or ſatisfaction, ſhall be deemed and taken to be ſuch an act of bankruptcy, whereby on good proof thereof ſuch commiſſion ſhall and may be ſuperſeded; and it ſhall be lawful for the lord chancellor, lord keeper or commiſſioners for the cuſtody of the great ſeal of Ireland for the time being, to award to any creditor or creditors petitioning another commiſſion, and ſuch perſon or perſons, ſo taking or receiving ſuch goods or other ſatisfaction as aforeſaid, ſhall forfeit and loſe as well his, her, or their whole debt, as the whole he, ſhe, or they ſhall have taken or received, and ſhall pay back and deliver up the ſame, or the full value thereof, to ſuch perſon or perſons as the ſaid commiſſioners acting under ſuch new commiſſion ſhall appoint, in truſt for and to be divided amongſt the other of the bankrupt's creditors in proportion to their reſpective debts.

One creditor privately receiving more in the pound, by goods or other ſatisfaction, commiſſion ſuperſeded,

another on petition awarded,

ſuch creditor's whole debt loſt,

and repayment, or full value, for the other creditors.

XII. And

XII. And be it further enacted by the authority aforeſaid, that the creditor or creditors, who ſhall petition for and obtain any commiſſion of bankrupt, ſhall be, and is, and are hereby obliged at his, her, or their own coſts and expences to ſue forth and proſecute the ſame, until an aſſignee or aſſignees ſhall be choſen of ſuch bankrupt's eſtate and effects, as herein after preſcribed; and the commiſſioners to be named in any ſuch commiſſion ſhall at the ſame meeting, which ſhall be appointed for the choice of the aſſignees, aſcertain ſuch coſts, and by writing under their hands ſhall direct and order the aſſignee or aſſignees of ſuch bankrupt's eſtate, who is and are hereby required to pay and reimburſe ſuch petitioning creditor or creditors ſuch his, her, or their coſts and charges as aforeſaid, out of the firſt monies or effects of the ſaid bankrupt, that ſhall be got in and received under the ſaid commiſſion; and every creditor of the ſaid bankrupt ſhall be at liberty to prove his, her, or their debt or debts under the ſaid commiſſion without paying any contribution or ſum of money whatſoever for or on account of ſuch debt or debts.

Petitioners proſecute at their coſt till aſſignees choſen,

commiſſioners at meeting for aſſignees aſcertain ſuch coſts,

aſſignees ordered to reimburſe out of the firſt money,

every creditor may prove debt without contribution.

XIII. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, who have given credit, or at any time or times hereafter ſhall give credit, on bills, bonds, notes, or other ſecurities, to any perſon or perſons who ſhall become bankrupt, upon a good and valuable conſideration, *bona fide*, for any ſum or ſums of money, or other matter or thing whatſoever, which ſhall not be due or payable at or before the time of ſuch perſons becoming bankrupt, ſhall be admitted to prove his, her, and their reſpective bills, bonds, notes, or other ſecurities, promiſe, or agreement for the ſame, in like manner as if they were made payable preſently, and not at a future day, and ſhall be intitled unto, and ſhall have and receive a proportionable part, ſhare, and dividend of ſuch bankrupt's eſtate, in proportion to the other creditors of ſuch bankrupt, deducting only thereout rebate of intereſt, and diſcounting ſuch ſecurities payable at future times, after the rate of ſix pounds *per centum per annum*, for what he ſhall ſo receive, to be computed from the actual payment thereof to the time ſuch debt, duty, or ſum of money, ſhould or would have become due and payable in and by ſuch ſecurities; And it ſhall and may be lawful for ſuch perſon or perſons to petition for, or join in petitioning for, any commiſſion of bankruptcy.

Bona fide creditors on ſecurities at a future day may prove and receive dividend, on rebate of intereſt and diſcount at ſix *per cent.*

may petition for commiſſion.

XIV. And be it further enacted by the authority aforeſaid, that there ſhall not be paid or allowed by the creditors, or out of the eſtate of the bankrupt, any monies whatſoever for expences

No allowance for eating or drinking at meetings out of

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pences in eating or drinking of the commiſſioners, or of any other perſons at the times of the meetings of the ſaid commiſſioners, or any of the creditors; and that no ſchedule ſhall be annexed to any deed of aſſignment of the perſonal eſtate of ſuch bankrupt from the ſaid commiſſioners to the aſſignee or aſſignees of the ſaid eſtate: and if any commiſſioner or commiſſioners in any commiſſion ſhall order any ſuch expence to be made, or eat or drink at any ſuch meeting at the charge of the creditors, or out of the eſtate of ſuch bankrupt, or receive or take above the ſum of twenty ſhillings each commiſſioner for each reſpective meeting, every ſuch commiſſioner ſo offending ſhall be diſabled for ever to act as a commiſſioner in ſuch or any other commiſſion founded on this act.

bankrupts eſtate or at charge of creditors, no ſchedule to any aſſignment, Commiſſioners ordering any ſuch expence, or taking above 20s. each every meeting, diſabled.

XV. Provided, that the ſaid commiſſioners, authorized as aforeſaid, and every of them, ſhall not be capable of acting as a commiſſioner or commiſſioners in the execution of any of the powers and authorities given and granted by this act (unleſs it be the power hereby given of adminiſtering oaths to commiſſioners) until ſuch time as he and they reſpectively ſhall have taken an oath to the effect following (that is to ſay;)

Commiſſioners previous oath.

I *A. B. do ſwear, that I will faithfully, impartially, and honeſtly, according to the beſt of my ſkill and knowledge, execute the ſeveral powers and truſts repoſed in me as a commiſſioner in a commiſſion of bankrupt againſt*
and that without favour or affection, prejudice, or malice.
So help me God.

which oath any two or more of the ſaid commiſſioners are hereby impowered and required to adminiſter to each other in the ſame commiſſion named and authorized; and they, the ſaid commiſſioners, ſhall and are hereby required to enter and keep a memorial or memorials thereof, ſigned by them reſpectively, among the depoſitions and other proceedings on each reſpective commiſſion, that ſhall be iſſued forth by virtue of this act.

adminiſtered to each other by any two, entered among proceedings.

XVI. And be it further enacted by the authority aforeſaid, that no commiſſion of bankrupt ſhall abate by reaſon of the death of his preſent Majeſty (whom God long preſerve) his heirs or ſucceſſors, but ſuch commiſſions ſhall continue in full force; and if it ſhall be neceſſary to renew any ſuch commiſſion by reaſon of the death of the commiſſioners named in ſuch commiſſion, ſo that a ſufficient number of commiſſioners ſhall not be living, who cannot act therein, or for any other cauſe;

No commiſſion abated by death of King, commiſſion renewed, if not a ſufficient number to act,

cauſe; in every ſuch caſe ſuch commiſſion ſhall be renewed, and but half of the fees paid upon granting or obtaining of commiſſions of bankrupt ſhall be paid on any ſuch renewed commiſſions; and that all bills of fees and diſburſements, claimed or demanded by any ſolicitor, clerk, or attorney, employed under any commiſſion of bankrupt, ſhall be ſettled, adjuſted, and certified by one of the maſters of the court of chancery; and ſo much as the maſter ſhall certify to be due to ſuch clerk, ſolicitor, or attorney, and no more, ſhall be paid by the aſſignee or aſſignees under ſuch commiſſion; and the maſter, who ſhall ſettle and adjuſt ſuch bill, ſhall have and receive for his care in ſettling and adjuſting the ſame, as alſo for his certificate thereof, the ſum of twenty ſhillings, and no more.

half fees paid;

ſolicitors fees adjuſted and certified by a maſter,

no more paid by aſſignees,

maſters fee 20s.

XVII. And be it further enacted by the authority aforeſaid, that if any bankrupt ſhall happen to dye before the commiſſioners, or the major part of them, ſhall diſtribute the eſtate and effects of ſuch bankrupt, the ſaid commiſſioners ſhall and may notwithſtanding the death of ſuch bankrupt proceed in the execution of the ſaid commiſſion in ſuch ſort, as they might have done, if the ſaid bankrupt had been living.

On bankrupt's death before diſtribution, to proceed as if living.

XVIII. And be it further enacted by the authority aforeſaid, that where any commiſſion of bankrupt ſhall iſſue, the commiſſioners therein named, or the major part of them, thereby authorized, ſhall forthwith, after they have declared the perſon or perſons, againſt whom ſuch commiſſion ſhall iſſue, a bankrupt or bankrupts, cauſe notice thereof to be given in the Dublin Gazette, and ſhall appoint a time and place for the creditors to meet; which meeting for the city of Dublin, and all places within the limits of the county of the ſaid city, ſhall be at the Tholſel of the ſaid city, or Royal Exchange, in order to chooſe an aſſignee or aſſignees of the ſaid bankrupt's eſtate and effects; at which meeting the ſaid commiſſioners ſhall admit the proof of any creditor's debt, that ſhall live remote from the place of ſuch meeting of the commiſſioners, by affidavit (or being of the people called quakers, by ſolemn affirmation) and alſo permit any perſon, duly authorized by letter of attorney from ſuch creditors, oath or affirmation being made of the due execution thereof, either by an affidavit ſworn or affirmation made before a maſter in chancery, ordinary or extraordinary, or before the commiſſioners, *viva voce*, (which oath or affirmation they are hereby reſpectively authorized to adminiſter) and in caſe of creditors reſiding in foreign parts, ſuch affidavits or ſolemn affirmations being made before a magiſtrate where the party ſhall

Notice in Gazette forthwith of declaring bankrupt,

and meeting appointed for creditors to chuſe aſſignees,

for Dublin at Tholſel or Exchange,

proof of remote creditor's debt by affidavit admitted,

and perſons duly authorized by letter of attorney from them to vote for aſſignees,

on affidavit of due execution before a maſter, or before commiſſioners *viva voce*, or, if reſiding abroad,

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ſhall be reſiding, and being together with the letters of attorney of ſuch creditors atteſted by a notary publick, the ſaid commiſſioners ſhall permit the perſons ſo duly authorized to vote in the choice of an aſſignee or aſſignees of ſuch bankrupt's eſtate and effects in the place and ſtead of ſuch creditors; and the commiſſioners, or the major part of them authorized, ſhall aſſign every ſuch bankrupt's eſtate and effects unto ſuch perſon or perſons, as the major part in value of ſuch creditors, according to the ſeveral debts then proved, ſhall chooſe as aforeſaid; and the aſſignee or aſſignees ſo choſen ſhall keep one or more diſtinct book or books of account, wherein he or they ſhall duly enter all ſum and ſums of money or other effects, which he or they ſhall have got in, or received out of the ſaid bankrupt's eſtate; to which book or books of account every creditor, who ſhall have proved his or her debt, ſhall at all ſeaſonable times, have free reſort, and inſpect the ſame as often, as he or ſhe ſhall think fit.

before a magiſtrate there, and atteſted with the letter by a notary,

Bankrupt's eſtate aſſigned to ſuch as major part in value of creditors chuſe,

Aſſignees to keep account books, and enter receipts,

reſorted to by creditors proving debts.

None to vote for aſſignees, whoſe debt not 10l.

XIX. Provided, that no creditor, or any other perſon for and on behalf of any creditor, ſhall be permitted to vote in ſuch choice of aſſignee or aſſignees, whoſe debt, or the debt of the perſon or perſons ſo authorizing him to vote, ſhall not amount to the ſum of ten pounds or upwards.

Commiſſioners, as they ſee cauſe, may immediately appoint aſſignees,

XX. Provided alſo, that it ſhall and may be lawful for the ſaid commiſſioners authorized as aforeſaid, or the major part of them, as often as they ſhall ſee cauſe, for the better preſerving and ſecuring the bankrupt's eſtate, immediately to appoint one or more aſſignee or aſſignees of the debts, eſtate, and effects of ſuch bankrupt, or any part thereof; which aſſignee or aſſignees, or any of them, ſhall and may be removed or diſplaced at the meeting of the creditors ſo to be appointed as aforeſaid for the choice of aſſignees, if they, or the major part in value of them, whoſe debts reſpectively amount to ten pounds or upwards as aforeſaid, then preſent, of ſuch perſons duly authorized as aforeſaid, ſhall think fit; and ſuch aſſignee or aſſignees, as ſhall be ſo removed and diſplaced, ſhall deliver up and aſſign all the debts, eſtate, and effects of ſuch bankrupt, which ſhall have come to his or their hands or poſſeſſion, or which ſhall have been aſſigned by the ſaid commiſſioners as aforeſaid, unto ſuch other aſſignee or aſſignees who ſhall be ſo choſen by the creditors as aforeſaid; and all the debts, eſtate, and effects of the bankrupt, which ſhall be delivered up or aſſigned, ſhall be to all intents and purpoſes as effectually and legally veſted in ſuch new aſſignee or aſſignees, as if the firſt aſſign-

removeable at meeting of ſuch majority of creditors,

to deliver up all effects to aſſignees ſo choſen by creditors,

legally veſted in them,

ment

ment had been made to him or them by the ſaid commiſſioners; and if ſuch firſt aſſignee or aſſignees ſhall refuſe or neglect by the ſpace of ten days next after notice given of the ſaid choice of ſuch new aſſignee or aſſignees, and of his and their conſent to accept ſuch aſſignment, ſignified to the firſt aſſignee or aſſignees by writing under his or their hand or hands, to make ſuch delivery as aforeſaid, every ſuch aſſignee or aſſignees ſhall reſpectively forfeit the ſum of two hundred pounds, over and above the value of the effects of ſuch bankrupt ſo detained; to be divided and diſtributed amongſt the creditors towards ſatisfaction of their debts, in ſuch manner as the eſtate of the bankrupt is or ought to be divided and diſtributed; and to be recovered by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin by ſuch perſon or perſons, as ſuch major part of the commiſſioners authorized as aforeſaid ſhall appoint to ſue for the ſame, with full coſts of ſuit, wherein no privi-ledge, protection, or wager of law, or more than one imparlance ſhall be allowed.

firſt aſſignees not delivering in ten days after notice, penalty 200l. above the effects, diſtributed as the bankrupts eſtate.

XXI. And be it further enacted by the authority aforeſaid, that every grant, aſſignment, or diſpoſition of the debts, eſtates, and effects of any bankrupt made by the ſaid commiſſioners, or the greater part of them, ſhall ſo veſt the property, right, and intereſt of ſuch debts, eſtate, and effects in the perſon or perſons of him, her, or them, to whom they ſhall be granted, aſſigned, or ordered by the ſaid commiſſioners, or the greater part of them, as fully to all intents and purpoſes as if the ſame had been originally and legally veſted in ſuch perſon or perſons, and as if the bills, bonds, ſtatutes, recognizances, judgments, deed or deeds, or contract, whereupon the ſaid debt or debts ſhall ariſe or grow due, had been made to, or with, or for the ſaid perſon or perſons, to whom the ſame ſhall be ſo granted, aſſigned, or diſpoſed by the ſaid commiſſioners, or the major part of them; and that after ſuch grant, aſſignment, or diſpoſition made of the ſaid debts, neither the bankrupt or any other, to whom any ſuch debt ſhall be due, ſhall have power to recover the ſame, or to make any releaſe or diſcharge thereof; neither ſhall the ſame be attached as the debt of the bankrupt, or ſuch ſaid other perſon or perſons to whom the ſame ſhall be due, by any other perſon or perſons according to cuſtom or otherwiſe, but that the party or parties, to whom the ſame debt ſhall be aſſigned, ſhall have like remedy to recover the ſame as fully and lawfully in the name or names of the aſſignee or aſſignees to whom the ſame ſhall be ſo granted, aſſigned, or ordered by the ſaid

Property of debts, &c. veſted by grants of commiſſioners as if originally veſted,

not after in power of bankrupt, or other to whom debt due, to recover, releaſe, or diſcharge,

like remedy to recover in name of aſſignees, as the party had.

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said commissioners in all respects and purposes, as the party himself might have had.

Bankrupt's debtor paying *bona fide*, not knowing, not endangered.

XXII. Provided always, that no debtor of the bankrupt be hereby endangered for the payment of his, her, or their debt, truly and *bona fide* made to any such bankrupt, before such time as such debtor shall understand or know, that he is become a bankrupt.

On petition of any creditors order in chancery for new assignees,

XXIII. And whereas it may be found necessary, that assignments made by commissioners or pursuant to the choice of creditors should be vacated, and new assignments made of the debts and effects unreceived, and not disposed by the then assignees to other persons to be chosen by the creditors as aforesaid: be it enacted by the authority aforesaid, that it shall and may be lawful to and for the lord chancellor, lord keeper, or commissioners for the custody of the great seal of Ireland, for the time being, upon petition of any creditors to make such order therein, as he or they shall think just and reasonable; and in case a new assignment shall be ordered to be made as aforesaid, that then such debts, effects, and estate of such bankrupts shall be thereby effectually and legally vested in such new assignee or assignees, and it shall and may be lawful for him and them to sue for the same in his or their name or names, and to discharge any action or suit, and to give any acquittance for such debts, as effectually, to all intents and purposes as the assignee or assignees in the former assignment might have done, in case no new assignment had been made; and that the said commissioners shall cause publick notice to be given in the two Dublin Gazettes, that shall immediately follow the removal of such assignee or assignees, and the appointment of such other agssinee or assignees, as aforesaid, that such assignee or assignees is or are removed, and such other assignee or assignees appointed in his or their stead; and that such persons, as are indebted to the said bankrupt's estate, do not pay such debt or debts to such assignees, as shall be removed as aforesaid.

the effects vested in them,

may act as the former,

notice of removal and new appointment in two next Gazettes,

and debtors not to pay the former.

If declared bankrupt on commission awarded shall not in forty two days after written notice left at abode, or personal if in prison, and in Gazette, of such commission and meet-

XXIV. And be it further enacted by the authority aforesaid, that if any person or persons, who shall at any time during the continuance of this act become bankrupt within the intent and meaning of this act, and against whom a commission of bankrupt under the great seal of Ireland shall be awarded and issued out, whereupon the said person or persons, against whom such commission shall issue, shall be declared bankrupt or bankrupts, shall not within forty two days after notice thereof in writing, to be left at the usual place of abode of such person

or perſons, or perſonal notice, in caſe ſuch perſon or perſons be then in priſon, and notice given in the Dublin Gazette, that ſuch commiſſion or commiſſions is, are, or have been iſſued, and of the time and place of a meeting of the commiſſioners therein named, or the major part of them, ſurrender him, her, or themſelves to the ſaid commiſſioners named in the ſaid commiſſion, or the major part of them, and ſign or ſubſcribe ſuch ſurrender, and ſubmit to be examined from time to time upon oath, or, being of the people called quakers, upon the ſolemn affirmation by law appointed for ſuch people, by and before ſuch commiſſioners, or the major part of them, by ſuch commiſſion authorized, and in all things conform to this ſtatute; and alſo upon his, her, or their examination, fully and truly diſcloſe and diſcover all his, her, or their effects and eſtate real and perſonal; and how, and in what manner, to whom, and upon what conſideration, and at what time and times he, ſhe, or they have or hath diſpoſed of, aſſigned, or transferred any of his, her, or their goods, wares, merchandizes, monies, or other eſtate and effects, and all books, papers, and writings relating thereto, of which he, ſhe, or they was or were poſſeſſed, or in or to which he, ſhe, or they was or were any ways intereſted or intitled, or which any perſon or perſons had, or hath, or have had in truſt for him, her, or them, or for his, her, or their uſe at any time before or after the iſſuing of the ſaid commiſſion, or whereby ſuch perſon or perſons, or his, her, or their family or families hath, or have, or may have, or expect any profit, poſſibility of profit, benefit, or advantage whatſoever, except only ſuch part of his, her, or their eſtate or effects, or ſhall have been really and *bona fide* before ſold or diſpoſed of in the way of his, her, or their trade and dealings, except ſuch ſums of money as ſhall have been laid out in the ordinary expence of his, her, or their family or families; and alſo upon ſuch examination deliver up unto the ſaid commiſſioners, by the ſaid commiſſion authorized, or the major part of them, all ſuch part of his, her, or their the ſaid bankrupt's wares, goods, merchandizes, money, eſtate, and effects, and all books, papers, and writings relating thereunto, as at the time of ſuch examination ſhall be in his, her, or their poſſeſſion, cuſtody, or power, (his, her, or their neceſſary wearing apparel, and the neceſſary wearing apparel of the wife and children of ſuch bankrupt, only excepted) then he, ſhe, or they, the ſaid bankrupt or bankrupts, in caſe of any default and wilful omiſſion in not ſurrendering and ſubmitting to be examined as aforeſaid,

ing, ſurrender to commiſſioners and ſubſcribe it, ſubmit to examination on oath, and conform in all,

fully diſcover all eſtate and effects,

how and when diſpoſed of,

all books and writings relating thereto, of which poſſeſſed or intereſted in or by perſons in truſt for him, before or after commiſſion, or whereby profit or poſſibility of it to him or his family,

except before really diſpoſed of in way of dealing,

except family expences,

and deliver up all in his power,

neceſſary apparel for him, wife, and children excepted,

on any wilfull omiſſion, or removing,

or

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concealing, or embezzling 20l. value, account books or writings, with intent to defraud creditors,

on conviction felony without clergy.

or in caſe he, ſhe, or they ſhall remove, conceal, or embezell any part of ſuch his, her, or their eſtate, real or perſonal, to the value of twenty pounds, or any books of account, papers, or writings relating thereto, with an intent to defraud his, her, or their creditors, and being thereof lawfully convicted by indictment, ſhall be deemed and adjudged to be guilty of felony, and ſhall ſuffer as felons without benefit of clergy, or the benefit of any ſtatute made in relation to felons; and in ſuch caſes ſuch felons goods and eſtate ſhall go and be divided among the creditors ſeeking relief under ſuch commiſſion.

the goods and eſtate to the creditors.

XXV. Provided always, that the ſaid commiſſioners authorized as aforeſaid ſhall appoint within the ſaid forty two days, ſo appointed as aforeſaid for the bankrupt to ſurrender and conform as aforeſaid, not leſs than three ſeveral meetings for the purpoſes aforeſaid; the laſt of which ſhall be on the forty ſecond day, hereby limited for ſuch bankrupt's appearance, and ten days notice at leaſt ſhall be given in the Dublin Gazette of the time and place of ſuch meetings.

3 meetings within the forty two days,

the laſt the 42d.

10 days notice of time and place in Gazette.

Time for ſurrender and diſcovery enlarged by lord chancellor,

not above 50 days from the 42d,

6 days at leaſt before the time for ſurrender.

XXVI. Provided alſo, that it ſhall and may be lawful to and for the lord chancellor, or lord keeper, or commiſſioners for the cuſtody of the great ſeal of Ireland for the time being, to enlarge the time for ſuch perſon or perſons ſurrendering him, her, or themſelves, and diſcloſing and diſcovering his, her, or their eſtate and effects as aforeſaid, as the ſaid lord chancellor, lord keeper, or ſuch commiſſioners ſhall think fit, not exceeding fifty days, to be computed from the end of the ſaid forty two days; ſo as ſuch order for enlarging the time be made by the ſaid lord chancellor, lord keeper, or ſuch commiſſioners, ſix days at leaſt before the time, on which ſuch perſon or perſons was or were to ſurrender him, her, or themſelves, and make ſuch diſcovery as aforeſaid.

Bankrupt, after aſſignees choſen, ſhall deliver up on oath before a maſter or juſtice all account books or writings, not ſeiſed or delivered, then in his power,

and diſcover ſuch as in other's power, any way relating to the eſtate or effects,

XXVII. And be it enacted by the authority aforeſaid, that every ſuch bankrupt or bankrupts as aforeſaid, after any aſſignee or aſſignees of his, her, or their eſtate and effects ſhall be choſen and appointed, ſhall be, and is, and are hereby required forthwith to deliver up on oath, or (being of the people called quakers) upon ſolemn affirmation before one of the maſters of the high court of chancery, or before any juſtice of the peace within his reſpective juriſdiction (which oath or affirmation they are hereby impowered to adminiſter) all his, her or their books of accounts, papers and writings not ſeized by the meſſenger of the ſaid commiſſion, or not before delivered up to the commiſſioners, or the major part of them, and then in his, her, or

their

their cuſtody or power, and diſcover ſuch as are in the cuſtody or power of any other perſon or perſons, that any ways relate to or concern his, her, or their eſtate or effects; and all and every ſuch bankrupt or bankrupts not in priſon or cuſtody ſhall at all times after ſuch ſurrender as aforeſaid be at liberty, and is and are hereby required, to attend ſuch aſſignee or aſſignees upon every reaſonable notice in writing, for that purpoſe given by ſuch aſſignee or aſſignees unto ſuch bankrupt or bankrupts, or left for him, her, or them, at his, her, or their houſe or place of abode, in order to aſſiſt, and ſhall aſſiſt ſuch aſſignee or aſſignees, in making out the accounts of the ſaid bankrupt's eſtate and effects.

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and not in cuſtody, ſhall on reaſonable written notice attend and aſſiſt aſſignees in the accounts.

XXVIII. And be it further enacted by the authority aforeſaid, that all and every bankrupt and bankrupts, having ſurrendered as aforeſaid, ſhall at all ſeaſonable times before the expiration of the ſaid forty two days, or ſuch further time as ſhall be allowed to ſuch bankrupts to finiſh his, her, or their examination, be at liberty to inſpect his, her, or their books, papers, and writings, in the preſence of ſuch aſſignee or aſſignees, or ſome perſon to be appointed by ſuch aſſignee or aſſignees for that purpoſe, and to take and bring with him, her, or them, for his, her, or their aſſiſtance ſuch perſons as he, ſhe, or they ſhall think fit, not exceeding two perſons at any one time, and to make out ſuch extracts and copies from thence, as he, ſhe, or they ſhall think fit, the better to enable him, her, or them to make a full and true diſcovery and diſcloſure of his, her, or their eſtate and effects; and in order thereto the ſaid bankrupt or bankrupts ſhall be free from all arreſts, reſtraint, or impriſonment of any of his, her, or their creditors in coming to ſurrender, and from the actual ſurrender of ſuch bankrupts to the ſaid commiſſioners, for and during the ſaid forty two days, or ſuch further time as ſhall be allowed to ſuch bankrupt or bankrupts for finiſhing his, her, or their examinations as aforeſaid; provided ſuch bankrupt was not in cuſtody at the time of ſuch ſurrender and ſubmiſſion to be examined: and in caſe ſuch bankrupt ſhall be arreſted for debt, or on any eſcape-warrant, coming to ſurrender him or herſelf to the ſaid commiſſioners, or after his or her ſurrender ſhall be ſo arreſted within the time before mentioned, that then on producing ſuch ſummons or notices under the hands of the ſaid commiſſioners, aſſignee, or aſſignees, to the officers who ſhall arreſt him, her, or them, and making it appear to ſuch officer that ſuch notice or ſummons is ſigned by the ſaid commiſſioners, or the major part of them,

After ſurrender may before end of the 42 days or time allowed inſpect books &c. in preſence of aſſignees or perſon appointed, aſſiſted by two, and extract or copy,

free from arreſt or reſtraint in coming and from ſurrender for the 42 days or time allowed,

if not in cuſtody at the time;

if arreſted for debt or on eſcape warrant, on producing the notice ſigned, and giving copy, diſcharged,

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or by ſuch aſſignee or aſſignees, and giving ſuch officer a copy thereof, he or ſhe ſhall be immediately diſcharged; and in caſe any officer ſhall detain ſuch bankrupt in his cuſtody, after he or ſhe ſhall have ſhewn ſuch notice or ſummons to ſuch officer, and made it appear it was ſigned as aforeſaid, ſuch officer ſhall forfeit and pay to ſuch bankrupt for his own uſe the ſum of five pounds for every day, ſuch officer ſhall detain ſuch bankrupt, to be recovered by action of debt in any of his Majeſty's courts of record in Dublin in the name or names of ſuch bankrupt or bankrupts, with full coſts of ſuit.

officer detaining afterwards to pay 5l *per* day, to bankrupt's own uſe, with full coſts.

XXIX. Provided always, that in caſe any bankrupt be in priſon or in cuſtody at the time of iſſuing the ſaid commiſſion as aforeſaid, and is willing to ſurrender and ſubmit to be examined according to the directions of this act, and can be brought before the ſaid commiſſioners and creditors for that purpoſe, the expences thereof ſhall be paid out of the ſaid bankrupt's eſtate and effects; but in caſe ſuch bankrupt is in execution, or cannot be brought before the commiſſioners, that then the acting commiſſioners ſhall from time to time attend the ſaid bankrupt in priſon or cuſtody, and take his or her diſcovery as in other caſes; and the aſſignees of the ſaid eſtate ſhall have power, and are hereby required, to appoint one or more perſon or perſons to attend ſuch bankrupt, being in priſon or cuſtody as aforeſaid, from time to time, and to produce to him or her his or her books, papers, and writings, in order to prepare his or her laſt diſcovery and examination according to the directions before mentioned; a copy whereof the aſſignees of the ſaid eſtate ſhall apply for, and the ſaid bankrupt ſhall deliver to them, or their order, ten days at leaſt before ſuch laſt examination.

If in cuſtody, and willing to ſurrender and be examined, and can be brought, the expence out of his effects,

if in execution, or cannot, acting commiſſioners ſhall attend and take his diſcovery,

perſons appointed by aſſignees to attend and produce his books, &c to prepare his laſt diſcovery,

copy to aſſignees 10 days before.

XXX. And be it further enacted by the authority aforeſaid, that upon certificate made under the hands and ſeals of the commiſſioners by ſuch commiſſion authorized, or the major part of them, that ſuch commiſſion is iſſued, and ſuch perſon or perſons proved before them to be bankrupt or bankrupts, it ſhall and may be lawful to and for all or any of the juſtices of his Majeſty's court of king's bench, or common pleas, or barons of the court of exchequer, and to and for all and every the juſtices of the peace within the kingdom of Ireland, and they are hereby impowered and required, upon application to them for that purpoſe made, to grant his or their warrant or warrants under his or their hands and ſeals for the taking and apprehending of ſuch perſon or perſons, and him, her, or them to commit to the common

On commiſſioners certificate, a warrant by a judge or magiſtrate to take and impriſon the bankrupt, till removed by commiſſioners warrant,

mon gaol of the county, where he, ſhe, or they ſhall be ſo apprehended and taken, there to remain until he, ſhe, or they be removed by order of the ſaid commiſſioners, or the major part of them, by warrant under their hands and ſeals; and the gaoler or keeper, to whoſe cuſtody ſuch perſon or perſons ſhall be committed, is hereby required to take and receive ſuch perſon or perſons into his cuſtody, and forthwith to give notice to one or more of the ſaid commiſſioners, in the ſaid commiſſion named, of ſuch perſon or perſons being in his or their cuſtody, to the intent the ſaid commiſſioners may ſend their warrant to ſuch gaoler or keeper (which they are hereby impowered and required forthwith to ſend) for the delivering ſuch bankrupt or bankrupts to the perſon or perſons named in ſuch warrant, who ſhall be therein authorized to convey and bring ſuch perſon or perſons to the ſaid commiſſioners in order to ſuch examination and diſcovery as aforeſaid; and the ſaid commiſſioners are hereby likewiſe authorized and impowered by ſuch their warrant, or any other warrant, to take and ſeize any the goods, wares, merchandizes, and effects of ſuch bankrupt or bankrupts (the neceſſary wearing-apparel of ſuch bankrupt, and of his wife and children, only excepted) and any of his, her, or their books, papers, or writings, which ſhall be then in the cuſtody or poſſeſſion of ſuch bankrupt or bankrupts, or of any other perſon or perſons in any priſon or priſons whatſoever.

gaoler to receive, and give notice to commiſſioners,

their warrant forthwith to bring him for examination,

and to ſeize effects (apparel excepted) books and writings.

XXXI. Provided always, and be it enacted by the authority aforeſaid, that if any ſuch perſon or perſons, ſo apprehended and taken, ſhall, within the time or times allowed by this act for that purpoſe, ſubmit to be examined, and in all things conform, as if he, ſhe, or they had ſurrendered, as by this act ſuch bankrupt or bankrupts is or are required, that then ſuch perſon, ſo ſubmitting and conforming, ſhall have and receive the benefit of this act to all intents and purpoſes, as if he, ſhe, or they, had voluntarily come in and ſurrendered himſelf or themſelves.

Bankrupt, ſo taken and conforming, to receive benefit of this act as if a voluntary ſurrender.

XXXII. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid commiſſioners, or the major part of them, to ſend for, and call before them, by ſuch warrant, ſummons, ways, or means, as they ſhall think fit, all and every ſuch perſon and perſons, as they ſhall know, or ſhall be informed and believe, can give any account or information of any act or acts of bankruptcy committed by ſuch perſon or perſons, againſt whom any commiſſion of bankruptcy ſhall be awarded and iſſued out, or of the goods, chattles, wares, merchandizes,

Commiſſioners may ſummon and examine perſons as to acts of bankruptcy or the effects,

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dizes, eſtate or effects of any ſuch perſon or perſons; and upon their appearance to examine them in ſuch manner, as herein after mentioned, touching or concerning ſuch bankrupt's eſtate and effects: and that if any ſuch perſon or perſons on payment or tender of payment of ſuch reaſonable charges, as the ſaid commiſſioners ſhall think ſufficient, ſhall neglect or refuſe to come and appear, not having a lawful excuſe to be made known to and allowed by the ſaid commiſſioners, or the major part of them, that then it ſhall and may be lawful to and for the ſaid commiſſioners, or the major part of them, by warrant under their hands and ſeals to apprehend any ſuch perſon or perſons ſo offending as aforeſaid, and him, her, or them to commit to ſuch priſon, as to the ſaid commiſſioners, or the major part of them, ſhall be thought meet, there to remain without bail or mainprize, until ſuch time as ſuch perſon or perſons ſhall ſubmit him, her, or themſelves to the ſaid commiſſioners, or the major part of them, to appear and be examined in ſuch manner as herein after mentioned.

not appearing on tender of reaſonable charge, without lawful excuſe, warrant to apprehend and impriſon till ſubmiſſion.

XXXIII. Provided always, that ſuch witneſſes, as ſhall be ſo ſent for, ſhall have ſuch coſts and charges, as the ſaid commiſſioners, or the major part of them, in their diſcretion ſhall think fit, to be paid out of the effects of ſuch bankrupt or bankrupts.

Such charges out of the effects.

XXXIV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid commiſſioners, or the major part of them, to examine as well by word of mouth as on interrogatories in writing all and every perſon and perſons, againſt whom any commiſſion of bankrupt is or ſhall be awarded, and the wife of every ſuch perſon, upon oath, or, being of the people called quakers, upon ſolemn affirmation (which oath or affirmation the ſaid commiſſioners, or the major part of them, are hereby impowered to adminiſter) touching all matters relating to the trade, dealings, eſtate, and effects of all and every ſuch bankrupt and bankrupts; and alſo to examine in the manner aforeſaid all and every other perſon duly ſummoned before or preſent at any meeting of the ſaid commiſſioners, or the major part of them, touching all matters relating to the perſon, trade, dealings, eſtate, and effects of all and every ſuch bankrupt and bankrupts, and any act or acts of bankruptcy committed by him, her, or them; and alſo to take down and reduce into writing the anſwers or verbal examinations of every ſuch bankrupt or other perſon had or taken before them as aforeſaid; which examination ſo taken down or reduced into writing,

Bankrupt and his wife examined on oath, verbally or on interrogatories, as to his dealings, and effects,

and alſo all duly ſummoned,

reduced to writing and ſubſcribed,

writing, the party examined ſhall and is hereby required to ſign and ſubſcribe; and in caſe any ſuch bankrupt or bankrupts, or other perſon or perſons, ſhall refuſe to anſwer, or ſhall not fully anſwer to the ſatisfaction of the commiſſioners, or the major part of them, all lawful queſtions put to him, her, or them by the ſaid commiſſioners, or the major part of them, as well by word of mouth as by interrogatories in writing, or ſhall refuſe to ſign and ſubſcribe his, her, or their examination ſo taken down or reduced into writing as aforeſaid, not having a reaſonable objection either to the wording thereof or otherwiſe, to be allowed by the ſaid commiſſioners, it ſhall and may be lawful to and for the ſaid commiſſioners, or the major part of them, by warrant under their hands and ſeals to commit him, her, or them to ſuch priſon as the commiſſioners, or the major part of them, ſhall think fit, there to remain without bail or mainprize, until ſuch time as ſuch perſon or perſons ſhall ſubmit him, her, or themſelves to the ſaid commiſſioners, and full anſwer make to the ſatisfaction of the commiſſioners to all ſuch queſtions, as ſhall be put to him, her, or them as aforeſaid, and ſign and ſubſcribe ſuch examination as aforeſaid according to the true intent and meaning of this act.

not anſwering or not fully, lawful queſtions, or not ſubſcribing, without reaſonable objection,

warrant to impriſon till ſubmiſſion,

XXXV. Provided always, that in caſe any perſon or perſons ſhall be committed by the ſaid commiſſioners for refuſing to anſwer or not fully anſwering any queſtion or queſtions, put to him, her, or them by the ſaid commiſſioners by word of mouth or on interrogatories, that the ſaid commiſſioners ſhall in their warrant of commitment ſpecify ſuch queſtion or queſtions.

Queſtions not anſwered ſpecified in the warrant.

XXXVI. Provided alſo, that in caſe any perſon or perſons, committed by the commiſſioners warrant by virtue of this act, ſhall make application to any court or judge, having proper juriſdiction, in order to be diſcharged from any ſuch commitment, and on ſuch application there ſhall appear any ſuch inſufficiency whatſoever in the form of the warrant, whereby ſuch perſon was committed, by reaſon whereof the party might be diſcharged of ſuch commitment, that then it ſhall and may be lawful for the court or judge, before whom ſuch party ſhall apply as aforeſaid, and ſuch court or judge ſhall, and is hereby required, by rule, order, or warrant to commit ſuch perſon or perſons to the ſame priſon, there to remain as aforeſaid until he, ſhe, or they ſhall conform as aforeſaid, unleſs it ſhall be made appear to ſuch court or judge by the party committed, that he, ſhe, or they have fully anſwered all lawful queſtions put to him, her, or them by the ſaid commiſſioners; or in caſe ſuch perſon was committed

On application to a judge for diſcharge, and inſufficiency in the warrant, recommitted till conformity,

unleſs he has fully anſwered, or good reaſon to refuſe ſigning,

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committed for not ſigning his, her, or their examination, unleſs it ſhall appear to ſuch court or judge, that the party ſo committed had a good and ſufficient reaſon for refuſing to ſign the ſame. And in caſe any gaoler or keeper of any priſon, to whom any ſuch bankrupt or bankrupts, perſon or perſons, ſhall be ſo committed as aforeſaid, ſhall wilfully ſuffer any ſuch bankrupt or bankrupts, perſon or perſons, to eſcape from ſuch priſon, or to go without the walls or doors of the ſaid priſon, until he, ſhe, or they ſhall be duly diſcharged as aforeſaid, ſuch gaoler or keeper ſhall for ſuch his offence, being duly convicted thereof, forfeit three hundred pounds lawful money for the uſe of the creditors of ſuch bankrupt or bankrupts.

Gaoler ſuffering eſcape, or to go without the priſon, till diſcharge,

300l. to creditors uſe.

Shall produce the priſoner to any creditor requeſting by day and producing certificate of proving debt,

XXXVII. And be it further enacted by the authority aforeſaid, that the gaoler or keeper of ſuch priſon as aforeſaid ſhall upon requeſt made in the day time of any perſon or perſons, being a creditor or creditors of ſuch bankrupt (and having proved his, her, or their debt under the ſaid commiſſion, and producing a certificate thereof under the hands of the ſaid commiſſioners, or the major part of them, (which ſaid commiſſioners are hereby required to give gratis) forthwith produce or ſhew ſuch perſon or perſons ſo committed as aforeſaid to any ſuch creditor or creditors requeſting the ſame; and in caſe ſuch gaoler or keeper of ſuch priſon ſhall refuſe to ſhew, or ſhall not forthwith produce, ſuch perſon or perſons ſo committed as aforeſaid, and being in his actual cuſtody at the time of ſuch requeſt, to ſuch creditor or creditors of ſuch bankrupts requeſting to ſee ſuch perſon or perſons committed as aforeſaid, ſuch gaoler and keeper of ſuch priſon ſhall forfeit for ſuch his wilful refuſal or neglect the ſum of one hundred pounds of lawful money for the uſe of the creditors of ſuch bankrupt or bankrupts; to be recovered by action of debt in any one of his majeſty's courts of record in Dublin in the name or names of the creditor or creditors requeſting ſuch ſight of ſuch priſoner.

penalty 100l. for the creditors.

5l. *per cent.* allowed on voluntary diſcovery of bankrupt's eſtate,

XXXVIII. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, who ſhall at any time after the time, allowed to ſuch bankrupt to ſurrender and conform as aforeſaid, voluntarily make diſcovery of any part of ſuch bankrupt's eſtate, not before come to the knowledge of the aſſignees, either to the ſaid aſſignees, or to the ſaid commiſſioners authorized as aforeſaid, or the major part of them, ſhall be allowed five pounds *per centum*, and ſuch further and other reward as the aſſignees and the major part of the creditors in value, preſent at any meeting of the creditors, ſhall think fit, to be paid out

and further reward as by aſſignees and majority of creditors in value at meeting,

out of the neat proceed of ſuch bankrupt's eſtate, which ſhall be recovered on ſuch diſcovery, which ſhall be paid to the perſon or perſons ſo diſcovering the ſame by the aſſignee or aſſignees of ſuch bankrupt's eſtate, and the aſſignee or aſſignees ſhall be allowed the ſame in their accounts.

paid and allowed in aſſignees accounts.

XXXIX. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, who ſhall have accepted of any truſt or truſts, and ſhall wilfully conceal or protect any eſtate real or perſonal of any perſon or perſons becoming bankrupts as aforeſaid from his, her, or their creditors, and ſhall not within forty two days, next after ſuch commiſſion ſhall iſſue forth, and notice thereof be given in the Dublin Gazette, diſcover and diſcloſe ſuch truſt and eſtate in writing to one or more of the commiſſioners or aſſignees of ſuch bankrupt or bankrupt's eſtate, and likewiſe ſubmit him or herſelf to be examined by the commiſſioners in and by the ſaid commiſſion authorized, or the major part of them, if thereunto required, and truly diſcover the ſame, ſhall forfeit the ſum of one hundred pounds of lawful money, and double the value of the eſtate, either real or perſonal, ſo concealed, to and for the uſe and benefit of ſaid creditors, to be recovered by action of debt in any of his Majeſty's courts of record at Dublin in the name of the aſſignee or aſſignees of the ſaid commiſſioners; in which caſe full coſts ſhall be allowed to either party.

Accepting truſt, and concealing or protecting bankrupts eſtate, and not in 42 days after commiſſion and notice diſcloſing in writing, and ſubmitting to examination and true diſcovery,

penalty 100l. and double value of concealment,

full coſts to either.

XL. And be it further enacted by the authority aforeſaid, that where it ſhall appear to the ſaid commiſſioners, or the major part of them, that there hath been mutual credit given by the bankrupt and any other perſon, or mutual debts between the bankrupt and any other perſon, at any time before ſuch perſon became bankrupt, the ſaid commiſſioners, or the major part of them, or the aſſignees of ſuch bankrupt's eſtate, ſhall ſtate the account between them, and one debt may be ſet againſt another, and what ſhall appear to be due on either ſide on the ballance of ſuch account, and on ſettling ſuch debts one againſt another, and no more, ſhall be claimed or paid on either ſide reſpectively.

On mutual debts, a ſet off on account ſtated,

ballance only paid.

XLI. And be it further enacted by the authority aforeſaid, that if any perſon at any time ſhall before the acting commiſſioners in any commiſſion of bankrupt, or by affidavit or affirmation exhibited to them, ſwear or depoſe, or, being of the people called quakers, affirm, that any ſum of money is due to him or her from any bankrupt or bankrupts, which ſum of money is not really due or owing, or ſhall ſwear or affirm, that more is due, than

False oath or affirmation of debt, or of more than really due, knowing it, on conviction puniſhed as perjury, and double the ſum ſworn,

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than is really due or owing, knowing the ſame to be not due or owing, and that ſuch oath or affirmation is falſe and untrue, and ſhall be thereof convicted by indictment or information, ſuch perſon ſhall ſuffer the pains and penalties inflicted by the ſeveral ſtatutes made and now in force againſt wilful perjury, and ſhall moreover be liable to pay double the ſum ſo ſworn or affirmed to be due and owing as aforeſaid, to be recovered and levied as other penalties and forfeitures are upon penal ſtatutes after conviction to be levied and recovered, and ſuch double ſum ſhall be rateably divided among all the creditors ſeeking relief under the ſaid commiſſion.

rateably to creditors.

Commiſſioners or perſons deputed by warrant may break open bankrupts houſes, trunks, &c. where the bankrupt or his goods be or reputed to be, ſeize, and order, or imprifon.

XLII. And be it further enacted by the authority aforeſaid, that in execution of the ſaid commiſſion it ſhall be lawful to and for the ſaid commiſſioners, or the major part of them, or any other perſon or perſons, officer or officers, by them or the greater part of them, to be deputed and appointed, by their warrant or warrants under their hands and ſeals to break open the houſe or houſes, chambers, ſhops, warehouſes, doors, trunks, or cheſts of the ſaid bankrupt, where the ſaid bankrupt or any of his or her goods or eſtate, ſhall be or reputed to be, and to ſeize upon and make ſuch order concerning the body, goods, chattles, ready money, and other eſtate of ſuch bankrupt, whether it be by impriſonment of his or her body, or otherwiſe, as to the ſaid commiſſioners or the major part of them ſhall be thought meet.

Bankrupt conforming allowed 5 *per cent* out of neat produce recovered, if 10s. per pound,

XLIII. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons becoming bankrupt as aforeſaid, who ſhall within the time limited by this act ſurrender him, her, or themſelves to the acting commiſſioners, named and authorized in or by any commiſſion to be awarded againſt him, her, or them, and in all things conform as in and by this act is directed, ſhall be allowed the ſum of five pounds *per centum* out of the neat produce of all the eſtate, that ſhall be recovered in and received; which ſhall be paid to him, her, or them by the aſſignee or aſſignees of the ſaid commiſſioners, in caſe the neat produce of the ſaid eſtate for ſuch allowance made, ſhall be ſufficient to pay the creditors of the ſaid bankrupt, who ſhall have proved their debts under the ſaid commiſſion, the ſum of ten ſhillings in the pound; and ſo as the ſaid five pounds *per centum* ſhall not amount in the whole to above the ſum of two hundred pounds; and in caſe the neat produce of the ſaid eſtate ſhall over and above the allowance hereafter mentioned, be ſufficient to pay

ſo as not above 200l.

the

the ſaid creditors the ſum of twelve ſhillings and ſix pence in the pound for their reſpective debts; that then all and every perſon or perſons ſo conforming ſhall be allowed the ſum of ſeven pounds ten ſhillings *per cent.* out of ſuch neat produce, to be paid by the aſſignee or aſſignees, ſo as ſuch ſeven pounds ten ſhillings *per cent.* ſhall not amount in the whole to above the ſum of two hundred and fifty pounds: and in caſe the neat produce of the ſaid eſtate ſhall, over and above the allowance hereafter made, be ſufficient to pay the ſaid creditors the ſum of fifteen ſhillings in the pound for their reſpective debts, that then all and every ſuch perſon and perſons ſo conforming ſhall be allowed the ſum of ten pounds *per centum* out of ſuch neat produce, to be paid by the aſſignee or aſſignees, ſo as ſuch ten pounds *per centum* ſhall not amount in the whole to above the ſum of three hundred pounds; and every ſuch bankrupt ſhall be diſcharged from all debts by him, her, or them due or owing at the time he, ſhe, or they became bankrupt; and in caſe any ſuch bankrupt ſhall afterwards be arreſted, proſecuted, or impleaded for any debt due before ſuch time as he, ſhe, or they became bankrupt, ſuch bankrupt ſhall be diſcharged upon common bail, and ſhall and may plead in general, that the cauſe of ſuch action or ſuit did accrue, before ſuch time as he, ſhe, or they became bankrupt, and may give this act and the ſpecial matter in evidence; and the certificate of ſuch bankrupt's conforming, and the allowance thereof, according to the directions of this act, ſhall be, and ſhall be allowed to be, ſufficient evidence of the trading, bankruptcy, commiſſion, and other proceedings precedent to the obtaining ſuch certificate, and a verdict ſhall thereupon paſs for the defendant, unleſs the plaintiff in ſuch action ſhall prove, the ſaid certificate was obtained unfairly and by fraud, or unleſs the plaintiff in ſuch action can make appear any concealment by ſuch bankrupt to the value of ten pounds; and if a verdict paſs for the defendant, or the plaintiff ſhall become nonſuited, or judgment be given againſt the plaintiff, the defendant ſhall recover his full coſts.

7l. 10s. *per cent*, if 12s. and 6d. *per* pound, not above 250l.

10l. *per cent* if 15s. *per* pound, ſo as not above 300l.

diſcharged all debts at becoming bankrupt, if after proſecuted, diſcharged on common bail, plead the cauſe of action before bankruptcy, this act and ſpecial matter in evidence, certificate of conforming evidence of proceedings and verdict for defendant, unleſs certificate unfair, or concealment 10l.

full coſt to defendant.

XLIV. Provided always, that if the neat produce of ſuch bankrupt's eſtate ſo to be diſcovered, recovered, and received, together with what ſhall be otherwiſe recovered and received, ſhall not amount to ſo much, as will pay all and every the creditors of ſuch bankrupt, who ſhall have proved their debts under the ſaid commiſſion, the ſum of ten ſhillings in the pound for their reſpective debts after all charges firſt had and deducted, that then and in ſuch caſe ſuch bankrupt ſhall not be allowed the ſum of five pounds *per centum* out of ſuch eſtate, as ſhall be ſo recovered and got in, but ſhall be allowed and paid by the aſſignees ſo much money,

If neat produce not 10s. *per* pound, bankrupt allowed ſo much as not to exceed 5 *per cent.*

as the aſſignees and commiſſioners, authorized as aforeſaid, ſhall think fit to allow to ſuch bankrupt, not exceeding three pounds *per cent.*

On commiſſion againſt any diſcharged by this or inſolvent act, compounding, or releaſed on delivering effects, the body on conforming only freed,

future eſtate liable as before this act (except tools, houſehold goods, and apparel and for wife and children) unleſs clear 15s. *per* pound.

XLV. Provided always, that in caſe any commiſſion of bankruptcy ſhall iſſue againſt any perſon or perſons, who ſhall have been before diſcharged by virtue of this act, or ſhall have compounded with his, her, or their creditors, or delivered to them his, her, or their eſtate or effects, and been releaſed by them, or been diſcharged by any act for the relief of inſolvent debtors; that then and in ſuch caſes the body and bodies only of ſuch perſon and perſons conforming as aforeſaid ſhall be free from arreſt and impriſonment by virtue of this act: but the future eſtate and effects of every ſuch perſon and perſons ſhall remain liable to his, her, or their creditors, as before the making of this act (the tools of trade, the neceſſary houſehold goods and furniture, and neceſſary wearing apparel of ſuch bankrupt and his wife and children, only excepted) unleſs the eſtate of ſuch perſon or perſons, againſt whom ſuch commiſſion ſhall be awarded, ſhall produce clear after all charges ſufficient to pay every creditor under the ſaid commiſſion fifteen ſhillings in the pound for their reſpective debts.

No allowance to bankrupt, unleſs on commiſſioners certificate to chancery of full diſcovery and conformity,

and ſigned and conſented to by four parts in five in number and value of creditors not under 20l. each duly proving debts or by perſons authoriſed,

and conſenting to diſcharge certified,

affidavit of ſuch creditors or of perſons authoriſed ſigning certificate,

laid before lord chancellor with the certificate,

XLVI. Provided alſo, that no diſcovery upon oath or ſolemn affirmation, to be made by any bankrupt or bankrupts of his, her, or their eſtate and effects purſuant to this act, ſhall intitle ſuch bankrupt or bankrupts to the benefit allowed by this act, unleſs the commiſſioners authorized by ſuch commiſſion, or the major part of them, ſhall in writing under their hands and ſeals certify to the lord chancellor, or lord keeper, or commiſſioners for the cuſtody of the great ſeal of Ireland for the time being, that ſuch bankrupt or bankrupts hath or have made a full diſcovery of his, her, or their eſtate and effects, and in all things conformed himſelf or themſelves according to the directions of this act, and that there doth not appear to them any reaſon to doubt of the truth of ſuch diſcovery, or that the ſame is not a full diſcovery of all ſuch bankrupt's eſtates and effects; and unleſs four parts in five in number and value of the creditors of ſuch bankrupt or bankrupts, who ſhall be creditors for not leſs than twenty pounds reſpectively, and who ſhall have duly proved their debts under ſuch commiſſion, or ſome other perſon by them reſpectively duly authorized thereto, ſhall ſign ſuch certificate, and teſtify their conſent to ſuch allowance and certificate, and to the ſaid bankrupt's diſcharge in purſuance of this act, to be alſo certified by ſuch commiſſioners; but the ſaid commiſſioners ſhall not certify the

ſame,

ſame, 'till they have proof by affidavit or affirmation in writing of ſuch creditors or of the perſon by them reſpectively authorized for that purpoſe ſigning the ſaid certificate, and of the power and authority by which any perſon ſhall be authorized by any creditor to ſign ſuch certificate for any creditor, which affidavit or affirmation, together with ſuch warrant or authority to ſign, ſhall be laid before the lord high chancellor, lord keeper, or commiſſioners of the great ſeal, with the ſaid certificate, in order for the allowing and confirming the ſame, and unleſs ſuch bankrupt make oath, or being of the people called quakers, ſolemnly affirm, in writing, that ſuch certificate and conſent of the creditors thereunto were obtained fairly and without fraud; and unleſs ſuch certificate ſhall after ſuch oath or affirmation of the bankrupt be allowed and confirmed by the lord chancellor, lord keeper, or commiſſioners for the cuſtody of the great ſeal of Ireland for the time being, or by ſuch two of the juſtices of the courts of the king's bench or common pleas, or barons of the court of exchequer at Dublin, to whom the conſideration of ſuch certificate ſhall be referred by the lord chancellor, lord keeper, or commiſſioners of the great ſeal for the time being; and any of the creditors of ſuch bankrupt ſhall be allowed to be heard, if they ſhall think fit, before the reſpective perſons aforeſaid againſt the making of ſuch certificate, and againſt the confirmation thereof; nor ſhall any commiſſioner ſign ſuch certificate, 'till after four parts in five in number and value of the ſaid creditors ſhall have ſigned the ſame as aforeſaid.

bankrupt's affidavit of fairly obtaining certificate and conſent,

certificate confirmed by lord chancellor or two judges, to whom referred,

any creditors heard againſt the making or confirming it,

no commiſſioner to ſign without four parts in five of creditors.

XLVII. Provided alſo, that where the creditor or creditors of any bankrupt reſide in foreign parts, the letters of attorney of ſuch creditor, atteſted by a notary publick in the uſual form, ſhall be a ſufficient evidence of the power and authority, by which any perſon thereby authorized ſhall ſign any bankrupt's certificate.

Letter of attorney of creditor abroad evidence of the power to ſign.

XLVIII. And be it further enacted by the authority aforeſaid, that every bond, bill, note, contract, agreement, or other ſecurity whatſoever, to be made or given by any bankrupt or by any other perſon, unto, or to the uſe of, or in truſt for any creditor or creditors, or for the ſecurity of the payment of any debt or ſum of money due from ſuch bankrupt at the time of his becoming bankrupt, or any part thereof, between the time of his becoming bankrupt and ſuch bankrupt's diſcharge, as a conſideration or to the intent to perſuade him, her, or them, to conſent to or ſign any ſuch allowance or certificate, ſhall be wholly void and of no effect; and the monies thereby ſecured or agreed to be paid ſhall not be recovered or recoverable; and the party

Securities between bankruptcy and diſcharge to induce creditor to ſign allowance or certificate void,

general iſſue pleaded thereto,

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party ſued on ſuch bond, bill, note, contract, or agreement, ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence.

and this act &c. in evidence.

XLIX. And be it further enacted by the authority aforeſaid, that if any bankrupt, who ſhall have obtained his or her certificates from the acting commiſſioners, and ſuch certificate ſhall have been allowed and confirmed, as by this act is directed, ſhall be taken in execution or detained in priſon on account of any debt, due or owing before he or ſhe became bankrupt, by reaſon that judgment was obtained, before ſuch certificate was allowed and confirmed, it ſhall and may be lawful to and for any one or more of the judges of the court, wherein judgment ſhall have been ſo obtained againſt ſuch bankrupt, on ſuch bankrupt's producing his or her certificate allowed and confirmed, to order any ſheriff, or ſheriffs bailiff, or officer, gaoler, or keeper of any priſon, who ſhall have any ſuch bankrupt in his cuſtody by virtue of any ſuch execution, to diſcharge ſuch bankrupt out of cuſtody on ſuch execution without payment of any fee or reward; and ſuch ſheriff, or ſheriffs bailiff, or officer, gaoler, or keeper, is and are hereby required to diſcharge ſuch bankrupt out of cuſtody accordingly, and is and are hereby indemnified from any action for any eſcape for his, her, or their ſo doing.

Bankrupt after certificate confirmed in cuſtody on prior judgment, diſcharged on producing it by order of that court without fee,

gaoler indemnified.

L. Provided always, that where any perſon or perſons ſhall fraudulently ſwear or depoſe, or being of the people called quakers affirm, before the commiſſioners, or major part of them, named in any commiſſion of bankruptcy, or by affidavit or affirmation exhibited to him, her, or them, that a ſum of money is due to him, her, or them from any bankrupt or bankrupts, which ſhall in fact not be really ſo due and owing, and ſhall in reſpect of ſuch fictitious and pretended debt ſign his, her, or their conſent to the certificate for ſuch bankrupt's diſcharge from his, her, or their debts, that in every ſuch caſe, unleſs the bankrupt ſhall, before the time that ſuch major part of the ſaid commiſſioners ſhall have ſigned ſuch certificate, by writing by him to be ſigned and delivered to one or more of the commiſſioners, or to one or more of the ſaid aſſignees of his eſtate and effects under ſuch commiſſion, diſcloſe the ſaid frauds, and object to the reality of ſuch debt, ſuch certificate ſhall be null and void to all intents and purpoſes, and ſuch bankrupt ſhall not in that caſe be intitled to be diſcharged from his debts, or to have and receive any of the benefits or allowances given or allowed to bankrupts by this act.

Fictitious creditor ſigning conſent to certificate, bankrupt not diſcloſing the frauds and objecting to the debt, not intitled to diſcharge or allowance, and certificate void.

LI. Provided alſo, that nothing in this act ſhall be conſtrued to extend, or give or grant any privilege, benefit, or advantage

advantage to any bankrupt whatſoever, againſt whom a commiſſion of bankrupt under the great ſeal of Ireland ſhall iſſue, who upon the marriage of any of his or her children hath or ſhall have given, advanced, or paid above the value of one hundred pounds, unleſs he or ſhe ſhall prove by his or her books fairly kept, or otherwiſe upon his or her oath, or being of the people called quakers upon ſolemn affirmation, before the major part of the commiſſioners in ſuch commiſſion named and authorized, that he or ſhe had at the time thereof, over and above the value ſo given, advanced, or paid, remaining in goods, wares, debts, ready money, or other eſtate real or perſonal, ſufficient to pay and ſatisfy unto each and every perſon, to whom he or ſhe was any wiſe indebted, their full and intire debts, or who ſhall loſe in any one day the ſum or value of five pounds, or in the whole the ſum or value of three hundred pounds, within the ſpace of twelve months next preceding his or their becoming bankrupt, in playing at or with cards, dice, tables, tennis, bowls, billiards, ſhovel-board, or in or by cock-fighting, horſe-races, dog-matches, or foot-races, or other paſtimes, game or games, whatſoever; or in or by bearing a ſhare or part in the ſtakes, wagers, or adventures, or in or by betting on the ſides or hands of ſuch as do or ſhall play, act, ride, or run as aforeſaid.

No benefit to bankrupt giving above 100l. on marriage of a child, unleſs on books fairly kept or oath he had at the time ſufficient to pay all his debts,

or loſing 5l. in one day, or 300l. in a year at any play, paſtime, wagers, betting &c.

LII. And to the end that aſſignees may make ſpeedy dividends of the eſtate and effects of ſuch bankrupts, be it enacted by the authority aforeſaid, that before the creditors ſhall proceed to the choice of an aſſignee or aſſignees of any bankrupt's eſtate, the major part in value of the ſaid bankrupt's creditors then preſent ſhall direct in what manner, how, and with whom, and where, the monies, ariſing by and to be received from time to time out of the bankrupt's eſtate, ſhall be paid in and remain, until the ſame ſhall be divided amongſt all the creditors as by this act is directed; to which rule and direction every ſuch aſſignee and aſſignees afterwards to be choſen ſhall conform, as often as one hundred pounds ſhall be got in and received from ſuch bankrupt's eſtate, and ſhall be and are hereby indemnified, for what they ſhall do in purſuance of ſuch direction of the ſaid creditors as aforeſaid.

For ſpeedy dividend, before aſſignees choſen majority of creditors in value preſent ſhall direct how and where money received ſhall be paid and remain till divided, aſſignees ſhall conform thereto, as often as 100l. got in, indemnified.

LIII. And be it further enacted by the authority aforeſaid, that every perſon or perſons, who ſhall be choſen aſſignee or aſſignees of the eſtate and effects of ſuch bankrupt, ſhall at ſome time after the expiration of four months, and within twelve months, from the time of iſſuing ſuch commiſſion, cauſe at leaſt twenty one days publick notice to be given in the Dublin Gazette,

Aſſignees after 4 and within 12 months from the commiſſion to give 21 days notice in gazette of meeting for

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of the time and place the commiſſioners and aſſignees, intend to meet to make a dividend or diſtribution of ſuch bankrupt's eſtate and effects; at which time the creditors, who have not before proved their debts, ſhall be at liberty to prove the ſame; which meeting for the city of Dublin, and all places within the county of the ſaid city and the liberties thereof, ſhall be at the tholſel of the ſaid city or the royal exchange; and upon every ſuch meeting the aſſignee or aſſignees ſhall produce to the ſaid commiſſioners and creditors then preſent fair and juſt accounts of all his and their receipts and payments touching the ſaid bankrupt's eſtate and effects, and of what ſhall remain outſtanding, and the particulars thereof; and ſhall, if the creditors then preſent or the major part of them require the ſame, be examined upon oath, or, being of the people called quakers, upon ſolemn affirmation, before the ſaid commiſſioners, or the major part of them, touching the truth of ſuch accounts; and in ſuch accounts the ſaid aſſignee or aſſignees ſhall be allowed to retain all ſuch ſum and ſums of money, as they ſhall have paid and expended in ſuing out and proſecuting of ſuch commiſſion, and all other juſt allowances on account of and by reaſon or means of his, her, or their being aſſignee or aſſignees; and the ſaid commiſſioners, or the major part of them, ſhall order ſuch part of the neat produce of the ſaid bankrupt's eſtate, as by ſuch accounts or otherwiſe ſhall appear to be in the hands of the ſaid aſſignees, as they or the major part of them ſhall think fit, to be forthwith divided amongſt ſuch of the bankrupt's creditors, who ſhall have duly proved their debts under ſuch commiſſion, in proportion to their ſeveral and reſpective debts; and the commiſſioners, or the major part of them, ſhall make ſuch their order for a dividend in writing under their hands, and ſhall cauſe one part of ſuch order to be filed amongſt the proceedings under the ſaid commiſſion, and ſhall deliver unto each aſſignee, under ſuch commiſſion, a duplicate of ſuch their order, likewiſe under the hands of the ſaid commiſſioners; which order of diſtribution ſhall contain an account of the time and place of making ſuch order, and the ſum total or quantum of all the debts proved under the ſaid commiſſion; and the ſum total of the money remaining in the hands of the aſſignee or aſſignees to be divided, and how much in particular in the pound is then ordered to be paid to every creditor under the ſaid commiſſion; and the ſaid aſſignee or aſſignees, in purſuance of ſuch order, and without any deed or deeds of diſtribution to be made for that purpoſe, ſhall forthwith make ſuch dividend and diſtribution accordingly; and ſhall alſo take receipts, in a book to be

dividend,
further debts then proved,
for Dublin at the Tholſel or Exchange,
Aſſignees to produce accounts of receipts and payments and what outſtanding,
may be examined on oath,
retain expences and juſt allowances,
ſuch part of neat produce, as thought fit, forthwith divided among creditors proving in proportion to their debts,
by order under commiſſioners hands,
one part filed,
duplicate to each aſſignee,
containing time, place, total debts proved, what remains, and the diſtribution,
dividend forthwith without any deed,
each receipt booked,

be kept for that purpoſe, from each creditor for the part or ſhare of ſuch dividend or diſtribution, which he or they ſhall make and pay to each creditor reſpectively; and ſuch order and receipt ſhall be a full and effectual diſcharge to ſuch aſſignee for ſo much, as he ſhall fairly pay purſuant to ſuch order as aforeſaid.

a full diſcharge to aſſignees.

LIV. And whereas many difficulties and differences may ariſe under commiſſions of bankrupts, which might be determined by arbitration: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the aſſignee or aſſignees of bankrupt's eſtate and effects by and with the conſent of the major part in value of the bankrupt's creditors, who ſhall have duly proved their debts under ſuch commiſſion, and who ſhall be preſent at any meeting of the ſaid creditors purſuant to ſuch notice to be for that purpoſe given in the Dublin Gazette, to ſubmit any difference or diſpute between ſuch aſſignee or aſſignees and any perſon or perſons whatſoever for or on account, or by reaſon or means of any matter, cauſe, or thing relating to ſuch bankrupt or bankrupts, his, her, or their eſtate or effects, to the final end and determination of arbitrators, to be choſen by the ſaid aſſignee or aſſignees, and the major part in value of ſuch creditors then preſent, and the party or parties, with whom they ſhall have ſuch difference, and to perform the award of ſuch arbitrators, or otherwiſe to compound and agree the matters in difference and diſpute between them, in ſuch manner as the ſaid aſſignee or aſſignees with ſuch conſent as aforeſaid ſhall think fit and can agree; and the ſame ſhall be binding to all the creditors of the ſaid bankrupt or bankrupts; and the aſſignees are hereby indemnified, for what they ſhall fairly do according to the direction aforeſaid.

Aſſignees with majority in value proving debts and preſent on notice in gazette may ſubmit any diſpute to arbitration,

and perform award, or compound,

binding to all.

LV. And be it further enacted by the authority aforeſaid, that any aſſignee or aſſignees, made or choſen as aforeſaid, ſhall be, and is, and are hereby impowered by and with the conſent of the major part of ſuch bankrupt's creditors in value, who ſhall be preſent at a meeting to be had for that purpoſe, of which publick notice ſhall be given in the Dublin Gazette, to make compoſition with any perſon or perſons, debtors or accomptants to ſuch bankrupts, where the ſame ſhall appear neceſſary and reaſonable, and to take ſuch reaſonable part as can upon ſuch compoſition be gotten in full diſcharge of ſuch debt and accounts.

May make compoſition, and take reaſonable part in full.

LVI. Provided always, that after ſuch bankrupt or bankrupts ſhall have obtained his, her, or their certificate, and the ſame ſhall be duly confirmed, as herein is mentioned, every

Bankrupt after certificate to attend aſſignees on reaſonable

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such bankrupt or bankrupts shall, and is, and are hereby obliged to give his, her, or their attendance upon every reasonable notice in writing to be given to him, her, or them, or to be left at his, her, or their usual place of abode, by the assignee or assignees, or by their order, thereby requiring him, her, or them, to attend the assignee or assignees of such bankrupt's estate, in order to make up, adjust, or settle any account or accounts between such bankrupt or bankrupts and any debtor to or creditor of such bankrupt's estate, or to attend any court or courts of record, in order to be examined touching the same, or for such other business, which such assignee or assignees shall judge necessary for getting in the said bankrupt's estate and effects for the benefit of his, her, or their creditors, for which said attendance the bankrupt shall be allowed and paid the sum of two shillings and sixpence *per diem*, by such assignee or assignees out of the bankrupt's estate; and in case such bankrupt or bankrupts shall neglect or refuse to attend, or on such attendance shall refuse to assist in such discovery, without good and sufficient cause to be shewn to the commissioners, or the major part of them, for such his, her, or their neglect or refusal, to be by them allowed as sufficient, such assignee or assignees making due proof thereof upon oath (or being of the people called quakers upon solemn affirmation) before the said commissioners authorized as aforesaid, or the major part of them, the said commissioners, or the major part of them, are hereby impowered and required to issue a warrant or warrants, directed to such person or persons as they shall think proper, for apprehending such bankrupt or bankrupts, and him, her, or them to commit to the county gaol, there to remain in close custody without bail or main-prize, until he, she, or they shall duly conform to the satisfaction of the said commissioners authorized as aforesaid, and be by the said commissioners, or the special order of the lord chancellor, lord keeper, or commissioners for the custody of the great seal of Ireland for the time being, or otherwise by due course of law discharged; and such gaoler or keeper of such prison, to which such bankrupt or bankrupts shall be committed, is hereby required to keep such person or persons in close custody within the walls of the said prison, until he, she, or they be duly discharged as aforesaid, under the pains and penalties before mentioned for such gaoler or keeper suffering such prisoners committed pursuant to this act to escape and go at large.

notice in writing left at usual abode,

allowed 2s. 6d. per day,

refusing to attend or assist in discovery without good cause, on oath imprisoned by warrant of commissioners till conformity, or discharge by commissioners, or due course of law,

kept in close custody,

penalty on gaoler as for escape.

A second dividend in 18 months

LVII. And be it further enacted by the authority aforesaid, that within eighteen months after the issuing of any such commission

commiſſion as aforeſaid, the aſſignee or aſſignees ſhall make a ſecond dividend of the bankrupt's eſtate and effects, in caſe the ſame was not wholly divided upon the firſt dividend, and ſhall cauſe a notice to be inſerted in the Dublin Gazette of the time and place, the ſaid commiſſioners intend to meet to make a ſecond dividend and diſtribution of ſuch bankrupt's eſtate or effects, and for the creditors, who ſhall not before have proved their debts, to come and prove the ſame; and at ſuch meeting every ſuch aſſignee or aſſignees ſhall produce upon oath or affirmation as aforeſaid his or their account or accounts of the bankrupt's eſtate and effects; and what upon the balance ſhall appear to be in his or their hands, ſhall by the like order of the commiſſioners, or the major part of them, be forthwith divided among ſuch of the bankrupt's creditors, who ſhall have made due proof of their debts, in proportion to their ſeveral and reſpective debts; which ſecond dividend ſhall be final, unleſs any ſuit at law or in equity ſhall be depending, or any part of the eſtate ſtanding out that cannot have been diſpoſed of, or that the major part of the creditors ſhall not have agreed to be ſold and diſpoſed of in manner aforeſaid, or unleſs ſome other or future eſtate or effects of the ſaid bankrupt ſhall afterwards come to or veſt in the ſaid aſſignee or aſſignees; in which caſe the ſaid aſſignee or aſſignees ſhall, as ſoon as may be, convert ſuch future or other eſtate and effects into money in manner aforeſaid, and ſhall, within two months next after any the ſame ſhall be converted into money as aforeſaid, by the like order of the commiſſioners, or the major part of them, divide the ſame rateably among ſuch bankrupt's creditors, who ſhall have made due proof of their debts under ſuch commiſſion.

after commiſſion, notice in gazette, and for creditors to prove,

aſſignees to produce accounts on oath,

balance by like order forthwith divided,

2d dividend final, unleſs ſuit in law or equity depending, or part undiſpoſed, or future effects veſt in aſſignees,

converted into money as ſoon as may be,

and in two months by like order divided rateably.

LVIII. Provided always, that no ſuit in equity ſhall be commenced by any aſſignee or aſſignees without the conſent of the major part in value of the creditors of ſuch bankrupt, who ſhall be preſent at a meeting of the creditors purſuant to notice to be given in the Dublin Gazette for that purpoſe.

No equity ſuit commenced without conſent of majority in value at meeting on notice.

LIX. To the end that there may be a certain place, where the creditors of any bankrupt, or any perſon or perſons claiming any eſtate or intereſt in any meſſuage, lands, tenements, or hereditaments, by or under any ſuch commiſſion as aforeſaid, may have recourſe to ſuch commiſſion, and the proceedings thereon; and that ſuch commiſſions, depoſitions, and proceedings may be of record and given in evidence; be it enacted by the authority aforeſaid, that upon the petition of any perſon or perſons to the lord chancellor, lord keeper, or commiſſioners for the cuſtody of

Proceedings on petition entered on record,

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the great ſeal of Ireland, praying that ſuch commiſſions and the depoſitions taken thereon, or any part of ſuch depoſitions, and ſuch certificate ſo to be allowed and confirmed as aforeſaid, or any other matters or things relating to the ſaid commiſſions or the proceedings thereupon, may be entered of record; the lord chancellor, lord keeper or commiſſioners of the great ſeal, ſhall and may direct and order ſuch commiſſions, depoſitions, proceedings, and certificates, or other matters or things relating thereunto, to be entered of record; and in caſe of the death of the witneſſes proving ſuch bankruptcy, or in caſe the ſaid commiſſions, depoſitions, proceedings, or other matters or things relating thereunto, ſhall be loſt or miſlaid, a true copy of the record of ſuch commiſſions, depoſitions, and proceedings, or other matters or things relating thereunto, ſigned and atteſted as herein after is mentioned, ſhall and may upon all occaſions be given in evidence to prove ſuch commiſſion, and the bankruptcy of ſuch perſon againſt whom ſuch commiſſion ſhall be awarded, or other matters or things relating thereunto; and all certificates, which ſhall be allowed and confirmed, and entered of record as aforeſaid, or a true copy of every certificate ſigned and atteſted as herein after is mentioned, ſhall and may be given in evidence in any of his Majeſty's courts of record, and be without any further proof deemed, adjudged, and taken to be a full and effectual bar and diſcharge of and againſt any action or ſuit, which ſhall be commenced or brought by any creditor or creditors of ſuch bankrupt for any debt or demand, contracted, due, or demandable before the iſſuing of ſuch commiſſion, unleſs any creditor or creditors, or the perſon that hath ſuch certificate, ſhall prove, that ſuch certificate was fraudulently obtained; in which caſe coſts ſhall be allowed to either party as in other common caſes.

on death of witneſſes, or proceedings loſt, copy of record on all occaſions evidence,

and copy of certificate evidence, and a bar to ſuit for debt before commiſſion,

unleſs certificate proved fraudulent,

coſts to either.

LX. And to the end any creditor, or other perſon or perſons, may know where to ſearch and ſee, whether ſuch commiſſion hath iſſued, and find what depoſitions have been taken by virtue thereof, and what proceedings have been thereupon, and whether the ſaid bankrupt hath made ſuch affidavit or affirmation as aforeſaid, and whether ſuch certificates are entered of record as aforeſaid, and all other matters and things which ſhall be entered of record in purſuance of this act; the lord chancellor, lord keeper, or commiſſioners for the cuſtody of the great ſeal, ſhall appoint a certain proper place within the city or the liberties of the city of Dublin, where all and every the matters aforeſaid ſhall be entered of record, and where all perſons ſhall be at liberty to ſearch and ſee, if the ſame are duly entered of record; and the

Lord chancellor to appoint certain place in Dublin to record, and a perſon or deputy to enter, with reaſonable fee,

liberty to ſearch,

lord chancellor, lord keeper, or commiſſioners of the great ſeal, ſhall by writing under his or their hand or hands appoint a proper perſon, who ſhall by himſelf or his ſufficient deputy, to be appointed by the lord chancellor, lord keeper, or commiſſioners, by writing under his or their hand or hands enter of record ſuch commiſſions, depoſitions, proceedings, and certificates, and other matters and things relating thereunto, and have the cuſtody of the entries thereof, and alſo appoint ſuch fee and reward to be paid to ſuch perſon for his labour and pains therein, as the lord chancellor, lord keeper, or commiſſioners of the great ſeal ſhall think reaſonable, not exceeding what is uſually paid in the like caſes; and that the perſon ſo to be appointed, and his deputy, ſhall continue to enter of record all and every the matters and things aforeſaid, and to have the cuſtody of the ſame, ſo long as he or they reſpectively behave themſelves well in entering the ſame of record and keeping ſuch entries, and ſhall not be removed but by order in writing under the hand of the lord chancellor, lord keeper, or commiſſioners of the great ſeal, on a good and ſufficient cauſe therein ſpecified; and in caſe ſuch perſon ſhall die, or be as aforeſaid removed, the lord chancellor, lord keeper or commiſſioners for the time being, ſhall and may in writing under his or their hand or hands appoint another perſon to enter the ſame of record, who ſhall have the cuſtody of the entries thereof, and ſhall have and receive the like fee and reward for his labour and pains therein.

continued during good behaviour,

removed on lord chancellor's order ſpecifying good cauſe,

another on death or removal.

LXI. And be it further enacted by the authority aforeſaid, that if any action of treſpaſs or other ſuit ſhall happen hereafter to be brought againſt any commiſſioner authorized by this ſtatute, or any other perſon or perſons having authority by virtue of or under ſuch commiſſion, for doing or executing any matter by force of this ſtatute, that the defendant or defendants in any ſuch action or ſuit may plead not guilty, or otherwiſe juſtify, that the act or thing, whereof the plaintiff or plaintiffs ſhall complain, was done by authority of this act, without expreſſing or rehearſing any other matter or circumſtance contained in this act, or enforcing him or them to ſhew forth their commiſſion authorizing the ſaid act or thing; whereunto the plaintiff ſhall be admitted to reply, that the defendant did the fact ſuppoſed in the declaration of his own wrong, without any ſuch cauſe alledged by ſuch defendant or defendants; whereupon the iſſue in ſuch action ſhall be joined to be tried by verdict of twelve men; and upon the tryal of that iſſue the whole matter ſhall be given in evidence by both parties according to the very truth of the ſame; and the perſon,

Defendants on ſuit for acting may plead not guilty, or juſtify under this act without other matter,

reply thereto,

iſſue, the whole in evidence,

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perſon, for whom the verdict upon ſuch iſſue ſhall paſs, ſhall have his coſts.

coſt on verdict.

LXII. And be it further enacted by the authority aforeſaid, that the diſcharge of any bankrupt or bankrupts by force of this act from the debts by him, her, or them due and owing at the time that he, ſhe, or they did become bankrupt, or at the iſſuing of ſuch commiſſion of bankruptcy, ſhall not be conſtrued, meant, or intended to releaſe or diſcharge any other perſon or perſons, who was or were partner or partners with the ſaid bankrupt in trade at the time, he, ſhe, or they became bankrupt, or then ſtood jointly bound, or had made any joint-contract together with ſuch bankrupt or bankrupts for the ſame debt or debts, for which he was diſcharged as aforeſaid, but that notwithſtanding ſuch diſcharge ſuch partner and partners, joint-obligor and obligors, and joint-contractors with ſuch bankrupt and bankrupts, as aforeſaid, ſhall be and ſtand chargeable with, and liable to pay, ſuch debt and debts, and to perform ſuch contracts, as if the ſaid bankrupt and bankrupts had never been diſcharged from the ſame.

Partners, co-obligors and contractors, not diſcharged,

LXIII. And be it further enacted by the authority aforeſaid, that no perſon, who ſhall be really and *bona fide* a creditor of any bankrupt for and in reſpect of goods, really and *bona fide* ſold to ſuch bankrupt, or for or in reſpect of any bill or bills of exchange really and *bona fide* drawn, negotiated, or accepted by ſuch bankrupt in the uſual and ordinary courſe of trade and dealing, ſhall be liable to refund or repay to the aſſignee or aſſignees of ſuch bankrupt's eſtate any money, which before the ſuing forth ſuch commiſſion was really, and *bona fide*, and in the uſual and ordinary courſe of trade and dealing, received by ſuch perſon from any ſuch bankrupt, before ſuch time as the perſon receiving the ſame ſhall know, underſtand, or have notice, that he is become a bankrupt, or that he is in inſolvent circumſtances.

No *bona fide* creditor for goods really ſold to, or bills drawn, negotiated, or accepted by, bankrupt in ordinary courſe, ſhall refund to aſſignees ſuch money received before commiſſion, not knowing bankruptcy or inſolvency.

LXIV. And be it further enacted by the authority aforeſaid, that the obligee in any bottomry or *reſpondentia bond*, and the aſſured in any policy of inſurance in the courſe of trade, made and entered into upon a good and valuable conſideration, *bona fide*, ſhall be admitted to claim, and, after the loſs or contingency ſhall have happened, to prove his, her, or their debt and demands in reſpect to ſuch bond or policy of inſurance, in like manner as if the loſs or contingency had happened before the time of the iſſuing of the commiſſion of bankruptcy againſt ſuch obligor or inſurer, and ſhall be intitled unto, and ſhall have and receive a proportionable part, ſhare, and dividend of ſuch bankrupt's eſtate, in proportion

Obligee in bottomry, aſſured in policies, *bona fide*, may claim, and after loſs or contingency prove demand as if before commiſſion,

intitled to proportionable dividend,

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proportion to the other creditors of ſuch bankrupt, in like manner as if ſuch loſs or contingency had happened, before the commiſſion iſſued; and all and every perſon or perſons, againſt whom any commiſſion of bankruptcy ſhall be awarded, ſhall be diſcharged of and from the debt or debts owing by him, her, or them on every ſuch bond or policy of inſurance as aforeſaid, and ſhall have the benefit of this ſtatute, as if ſuch loſs or contingency had happened, and the money due in reſpect thereof had become payable, before the time of iſſuing ſuch commiſſion.

and bankrupt diſcharged therefrom as if happening before.

LXV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the lord high chancellor, lord keeper, or commiſſioners of the great ſeal in Ireland for the time being, from time to time to ſettle and regulate the fees, which ſhall be taken by and paid to the ſeveral officers and perſons concerned in the iſſuing and ſuing forth every ſuch commiſſion of bankruptcy as aforeſaid, and upon all petitions and proceedings in the execution thereof, other than ſuch fees as are hereby ordered.

Fees, ſave as ordered, ſettled by lord chancellor.

LXVI. And be it enacted by the authority aforeſaid, that this act ſhall continue in force for ſeven years from the twenty fourth day of June in the year one thouſand ſeven hundred and ſeventy two, and from thence to the end of the next ſeſſion of parliament, and no longer.

Continued 7 years from 24 June 1772, &c. *2 years, &c. from* 24 *June* 1778 *by* 17 *and* 18 *G.* 3, *c.* 48, *and* 2 *years, &c. from* 24 *June* 1780 *by* 19 *and* 20 *G.* 3, *c.* 25, *ſec.* 12.

CHAP. IX.

An act for the better preventing of frauds committed by perſons claiming the bounties for ſupplying the city of Dublin with corn and flour.

WHEREAS the ſeveral acts of parliament heretofore made for the ſupplying the city of Dublin with corn and flour, and to explain and amend the ſame, have been found to be of utility to the city of Dublin; but as great frauds have been frequently committed by perſons pretending to be intitled to the reſpective bounties or premiums in ſaid acts mentioned, to the great diminution of his Majeſty's revenue: for the better prevention and detection of ſuch frauds for the future, and for the more eaſy and effectual execution of the ſaid acts, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that

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from and after the twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, no perſon ſhall be intitled to receive any bounty for bringing flour to the city of Dublin, unleſs the owner of ſuch flour, or ſome perſon employed by him or her to take care of the ſame, where it was made, do, before the ſame is brought to Dublin, make an affidavit before a juſtice of the peace of the county, in which ſuch flour was made, or chief magiſtrate of any town corporate, who are hereby impowered to adminiſter the ſame, which affidavit ſhall ſet forth the quantity of ſuch flour of wheat, the name of the place where the ſame was made, and the number of miles ſuch place is diſtant from his Majeſty's caſtle in the city of Dublin, each to be expreſſed in words, and not in figures, and that the wheat, whereof ſuch flour was made, was, to the beſt of the knowledge and belief of the perſon making ſuch affidavit, of the growth of this kingdom, and that ſuch flour of wheat is as free from bran or pollard, as flour of that quality ought to be, and that neither he nor any other perſon to his belief has received any premium for the ſame, or made any affidavit, but the preſent, to intitle him to a premium for the ſame; and if the perſon making ſuch affidavit be illiterate, then and in ſuch caſe it ſhall be made to appear upon the oath of ſome other perſon, that ſuch affidavit was truly read to him, before ſuch juſtice or chief magiſtrate ſhall adminiſter the foregoing affidavit to him; and there ſhall be delivered to the perſon, appointed for paying thoſe premiums, ſuch certificate and affidavits as are required by the former acts.

no bounty on bringing flour to Dublin unleſs affidavit firſt by owner or him employed, before a juſtice where made or chief magiſtrate of any corporation, of the quantity, place, diſtance from the Caſtle, in words, the wheat Iriſh growth, free from bran or pollard, no premium received or other affidavit made,

if illiterate, oath of being truly read,

certificate and affidavits delivered.

II. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall forge any ſuch certificate, affidavit, or craner's note, as in this or the ſaid former acts, or any of them, is or are mentioned and directed; or ſhall produce to the ſaid paymaſter or his deputy any ſuch certificate, affidavit, or craner's note as aforeſaid, knowing the ſame to be forged or falſe, with intent to receive the benefit of the ſaid premium or bounty, or ſhall knowingly ſwear any thing, which is falſe, in any ſuch affidavits as aforeſaid, or ſhall fraudulently aſſume or take any falſe or fictitious name in any ſuch affidavit, he, ſhe, or they, upon conviction thereof ſhall for the firſt offence be publickly whipped on a market day in each of the three ſucceſſive weeks next after his, her, or their conviction; and for ſuch next offence ſhall be adjudged guilty of felony, and ſhall be tranſported for ſeven years to ſome one of his Majeſty's plantations in America; and if any perſon or perſons ſhall be knowingly aiding or aſſiſting in making, procuring, or obtaining any ſuch forged or falſe affidavit

Forging, or knowingly producing forged certificate, affidavit, or craner's note, falſe ſwearing, or fictitious name, firſt offence, whipt publickly 3 market days; ſecond, felony tranſportation 7 years,

like penalties on aiding, &c:

affidavit, certificate, or craner's note, or ſhall knowingly procure or adviſe any perſon to ſwear any ſuch falſe affidavit, he, ſhe, or they ſhall upon conviction thereof for the firſt offence be in like manner three times publickly whipped; and for ſuch next offence ſhall be deemed guilty of felony, and ſhall be tranſported for ſeven years to ſome one of his Majeſty's plantations in America.

Paymaſter on ſickneſs or neceſſary abſence may appoint one, and anſwerable.

III. And be it enacted by the authority aforeſaid, that in caſe of ſickneſs or neceſſary abſence of Roger Palmer, eſquire, the preſent paymaſter of the corn premiums, the ſaid Roger Palmer may appoint a proper and diſcreet perſon, for whom the ſaid Roger Palmer ſhall be anſwerable, to execute the ſaid office in the place and ſtead of the ſaid Roger Palmer during ſuch ſickneſs or neceſſary abſence, with the like powers of adminiſtring oaths as the principal hath.

Approved of by 3 exciſe commiſſioners.

IV. Provided always, and it is hereby declared, that ſuch perſon ſo to be appointed ſhall, before he ſhall act in the ſaid office, be approved of by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, by writing under their reſpective hands and ſeals.

If corn, &c. again brought to be weighed;

V. And be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two if any corn, meal, malt, or flour, which has been weighed at a publick crane in the city of Dublin, the liberties of St. Sepulchre's, Thomas-Court, or Donore, and for which a craner's note has been obtained, ſhall be again brought to any of the ſaid craners before mentioned to be again weighed; or that any corn, meal, malt, or flour ſhall be weighed at any of the cranes before mentioned, in the name or names of any but the real owner or owners of ſuch corn, meal, malt, or flour, or if any affidavit made before a juſtice of the peace, chief magiſtrate, or paymaſter of the corn premiums, ſuch corn, meal, malt, or flour, is ſaid to be brought from any place at a greater diſtance from the caſtle of Dublin, than that from which it was really brought, upon proof made thereof in a ſummary way before the lord mayor of the city of Dublin, or two juſtices of the peace, ſuch corn, meal, malt, or flour, ſhall be forfeited; one moiety to the uſe of the informer or informers, and the other moiety to the uſe of the foundling hoſpital.

or in any but real owner's name,

or greater diſtance ſworn to,

forfeited, to informer and foundling hoſpital.

CHAP.

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CHAP. X.

An act for rendering ſecurities by mortgage more effectual

Where a year and half intereſt due, court of equity ſhall appoint receiver of ſuch part of rents as ſufficient to pay arrear and accruing intereſt, half a year when the other due, till all intereſt diſcharged,

WHEREAS by default of the punctual payment of the intereſt payable upon mortgages, and on account of the great delays in bills of foreclоſure, ſecurities by mortgage are fallen into diſrepute: for remedy whereof be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of December one thouſand ſeven hundred and ſeventy two in all caſes, where one year and a half's intereſt ſhall be due, a court of equity, upon application in manner hereafter mentioned, ſhall appoint a receiver to receive ſuch part of the rents of the mortgaged premiſſes, as ſhall be ſufficient to pay ſuch arrear of intereſt, and alſo the accruing intereſt of the ſaid mortgage money from time to time, one half year when the other ſhall become due, until the whole of ſuch intereſt due on the ſaid mortgage ſhall be diſcharged, and no longer, together with ſuch fees or ſalary as ſhall be appointed by the ſaid court for ſuch receiver, as alſo the neceſſary coſts out of pocket of ſuch application, and that out of the ſums ſo received ſuch intereſt, ſalary, and coſts, ſhall be ordered to be paid.

with receiver's fees, and neceſſary coſts out of pocket,

Order on petition and affidavit after reaſonable time to ſhew cauſe, and whether bill filed or not.

II. And be it enacted by the authority aforeſaid, that ſuch order ſhall be made upon petition and affidavit, after reaſonable time given to ſhew cauſe, and whether any bill has or has not been filed, relative to the ſaid mortgage.

CHAP. XI.

An act for better regulating the Foundling Hoſpital and Work-houſe in the city of Dublin, and increaſing the fund for the ſupport thereof; alſo for making a proviſion for appointing a Locum Tenens *in caſe of the death or abſence of the Lord Mayor, or the Preſident of the Court of Conſcience.*

Amended 15 *and* 16 *G.* 3. *c.* 25.

Expedient to repeal former acts, and make a new one, as to the Workhouſe of *Dublin*,

WHEREAS great confuſion and inconvenience may ariſe from the multiplicity of the acts now in force relative to the work-houſe of the city of Dublin, and it is thought expedient to repeal the ſame, and to make one new act, containing all ſuch parts of the ſaid laws as are proper to be continued, with

with such alterations and additions as are herein contained: be it enacted by the King's most Excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fourth day of June one thousand seven hundred and seventy two an act passed in the second year of the reign of her late Majesty Queen Ann, entitled, *An act for erecting a Work-house in the city of Dublin for employing and maintaining the poor thereof*, and also an act passed in the first year of the reign of his late Majesty, entitled, *An act for the better regulating the Work-house of the city of Dublin, and to regulate and provide for the poor thereof, and to prevent mischiefs which may happen by keeping gun-powder within the said city*, and also an act passed in the third year of the said reign, entitled, *An act for the better enabling the governors of the Work-house of the city of Dublin to provide for and employ the poor therein, and for the more effectual punishment of vagabonds, and also for the better securing of and providing for lunaticks and foundling children*, and also an act passed in the fifth year of the said reign, entitled, *An act to amend an act*, entitled, *An act for the better regulating the Work-house of the city of Dublin, and to regulate and provide for the poor thereof, and to prevent mischiefs which may happen by keeping gun-powder within the said city*, and also for explaining and amending one other act, entitled, *An act for the better enabling the governors of the Work-house of the city of Dublin to provide for and employ the poor therein, and for the more effectual punishment of vagabonds, and also for the better securing of and providing for lunaticks and foundling-children*, and also an act passed in the nineteenth year of the said reign, entitled, *An act for continuing and amending the several laws relating to the Work-house of the city of Dublin*, and also an act passed in the twentieth year of the said reign, entitled, *An act for explaining and amending the several laws now in being, relating to the Work-house of the city of Dublin, so far as the same relates to the rates of hackney coaches and hackney coachmen, and sedan chairs and chairmen, in and about the said city*, and also a clause in an act passed in the eleventh year of his present Majesty's reign, entitled, *An act for reviving and continuing and amending the several temporary statutes, and for other purposes*, whereby the said several acts herein before recited are to continue in force until the twenty fourth day of June, which shall be in the year of our lord one thousand seven hundred and ninety two, and to the end of the then next session of parliament, shall be repealed

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2 *Anne* c. 19.

1 *G.* 2. c. 27.

3 *G.* 2. c. 17.

5 *G.* 2. c. 14.

19 *G.* 2. c. 21.

* 25 *G.* 2. c. 16.

11 *G.* 3. c. 2. s. 4.

all repealed, except so much of 1 *G.* 2. c. 27, as relates to Gunpowder in *Dublin*.

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pealed and made null and void, except ſo much of the ſaid act paſſed in the firſt year of the reign of his ſaid late Majeſty, as relates to the preventing miſchiefs, which may happen by keeping gun-powder within the ſaid city of Dublin.

A new corporation of governors for workhouſe and foundlings created.

II. And whereas by the repeal of the ſaid ſeveral acts of parliament the corporation of the governors of the work-houſe of the city of Dublin will be diſſolved, and it is neceſſary, that a new corporation ſhould be created for regulating and governing the ſaid work-houſe, and maintaining and ſupporting the foundling children now in the ſaid houſe, or at nurſe in the country, and which ſhall be hereafter received therein, or ſent to nurſe therefrom purſuant to this act: therefore be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, there ſhall be a corporation of governors of the Foundling hoſpital and work-houſe to continue for ever in the county of the city of Dublin, which corporation ſhall conſiſt of the ſeveral perſons herein after mentioned, (that is to ſay) the chief governor or governors of this kingdom, lord primate of all Ireland, lord high chancellor, lord archbiſhop of Dublin, lord mayor of the city of Dublin, the ſpeaker of the houſe of commons, the lord of the manor of Thomas Court and Donore, the chancellor of the exchequer, the principal ſecretary of ſtate, the three chief judges, his Majeſty's prime ſerjeant at law, the attorney general, the ſolicitor general, the vicar general of Dublin, the deans of Chriſt Church and St. Patrick's, Dublin, the recorder, aldermen, and ſheriffs of the city of Dublin, the ſtate phyſician, the phyſician general of the army, the ſurgeon general, the ſtate ſurgeon, the high ſheriff and governor of the county of Dublin, the chairman of the ſeſſions of Kilmainham, the ſeneſchals of Saint Sepulchre's, and Thomas Court, and Donore, of the liberties and manor of Grange Gorman, of the liberties of Saint Patrick, and of the liberty of Kilmainham reſpectively, the maſter of the Royal Hoſpital, the members in parliament for the ſaid city and county of Dublin, the chaplain of the ſaid city, the miniſter of each and every pariſh in the city and ſuburbs of Dublin reſpectively for the time being, John archbiſhop of Tuam, James duke of Leinſter, Ford earl of Cavan, Francis Thomas earl of Kerry, William earl of Shelburne, Brinſley earl of Laneſborough, Robert earl of Belvedere, John earl of Moira, Henry earl of Ely, William viſcount Croſbie, Thomas baron Dartry, the honourable Anthony Brabazon, commonly called lord Brabazon, right honourable John Ponſonby, right honourable Nathaniel Clements, right honourable

honourable Francis Andrews, right honourable ſir Archibald Acheſon, baronet, right honourable Edward Cary, honourable William Brabazon, honourable John Butler, ſir Thomas Butler, baronet, ſir Edward Loftus, baronet, Thomas Le Hunte, eſquire, Thomas Adderley, eſquire, Hercules Langford Rowley, eſquire, Blayney Townly Balfour, eſquire, Richard Levinge, eſquire, John Bourke, eſquire, John Cramer, eſquire, John Hatch, eſquire, Robert Fitz-Gerald, eſquire, David Latouche, eſquire, John Foſter, eſquire, Lodge Morris, eſquire, Hugh Henry Mitchell, eſquire, Maurice Coppinger, eſquire, Robert Hellen, eſquire, Guſtavus Lambert, eſquire, Michael Clarke, eſquire, ſir Edward Newenham, knight, Henry Monk, eſquire, Dixie Coddington, eſquire, ſir Fielding Ould, knight, the honourable Thomas Tenniſon, Redmond Morris, eſquire, George Paul Monk, eſquire, Hamilton Gorges, eſquire, Robert Marſhall, eſquire, John Putland, eſquire, Thomas Cobbe, eſquire, reverend Thomas Car, doctor in divinity, reverend Kean Perceval, doctor in divinity, Richard Hamilton, eſquire, George Hart, eſquire, John Leigh, eſquire, John Latouche eſquire, William Bury, eſquire, William Bury, junior, eſquire, William Percevall, eſquire, Luke Sterling, eſquire, Richard Supple, eſquire, William Gleadow, eſquire, Michael Dalley, eſquire, Arthur Craven, eſquire, John Digby, eſquire, Charles Gordon, eſquire, William Philips, eſquire, Richard Cooke, eſquire, Holt Warren, eſquire, Peter Latouche, eſquire, Riely Towers, eſquire, Barry Colles, eſquire, William Crookſhank, eſquire, John Humphry, eſquire, Francis Evans, eſquire, George Meares, eſquire, Edward Noy, eſquire, Richard Wilſon, eſquire, Nathaniel Kavenagh, eſquire, John Whiteway, eſquire, Hercules Langriſhe, eſquire, William Acton, eſquire, George Lyndon, eſquire, doctor of laws, Thomas ſaint George, eſquire, Gorges Lowther, eſquire, Hugh Cane, eſquire, Robert Clements, eſquire, Henry Theophilus Clements, eſquire, ſir John Parnell, baronet, Francis Leigh, eſquire, Thomas Kingſbury, eſquire, ſir Caple Molyneux, baronet, Robert Leigh, eſquire, John Monk Maſon, eſquire, honourable Richard Rochfort Mervyn, Charles Euſtace, eſquire, and Edward Sterling, eſquire.

On vacancy others reſident in *Dublin* or 3 miles, elected at meeting.

III. And be it further enacted by the authority aforeſaid, That on the death or reſignation of any perſon or perſons whoſe names are herein particularly before mentioned, whereby a vacancy of a governor of the foundling hoſpital and work-houſe ſhall happen, that then the governors of the ſaid foundling hoſpital and work-houſe at the next or any other general meeting,

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ing, to be held as hereafter is mentioned, ſhall elect another perſon who ſhall be reſident within the ſaid city of Dublin, or within three miles of the ſame, in the place and ſtead of every ſuch perſon ſo dying or reſigning; and as often as any vacancy ſhall happen by death or reſignation in the place of any of the perſons hereafter to be elected to ſucceed therein, ſome other perſon or perſons qualified as aforeſaid ſhall in like manner from time to time for ever thereafter be elected, which perſons ſo elected ſhall to all intents and purpoſes be deemed and taken to be governors of the ſaid foundling hoſpital and work-houſe, and members of the ſaid corporation, as if their names were herein particularly inſerted.

ſo from time to time.

Corporation named, have common ſeal,

IV. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, the aforeſaid perſons and their ſucceſſors ſhall for ever in name and fact be one body politick and corporate in law to all intents and purpoſes, and ſhall have perpetual ſucceſſion, and be called the governors of the foundling hoſpital and work-houſe of the city of Dublin, and ſhall be enabled to plead and ſue, and to be ſued and impleaded, by that name, and ſhall and may have a common ſeal for their uſe, and ſhall and may without licence in mortmain purchaſe, take, and receive any lands, tenements, or hereditaments whatſoever, not exceeding the annual value of two thouſand pounds, or any perſonal eſtate whatſoever, for the uſe and benefit of the ſaid corporation.

purchaſe without licence in mortmain, 2000l. a year in lands, any perſonal eſtate.

V. And be it further enacted by the authority aforeſaid, that the ſaid governors, or any eleven or more of them, ſhall at their firſt meeting to be had after the ſaid twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, in caſe any of the perſons herein before named ſhall happen to die before the ſaid meeting, elect one or more perſons, qualified as aforeſaid, to be governor or governors in the room of him or them ſo dying, and alſo ſhall then proceed to elect and appoint a proper perſon to be their treaſurer, or ſteward and overſeer of the ſaid foundling hoſpital and work-houſe, during their pleaſure, at a ſalary not exceeding one hundred and fifty pounds *per annum*; and the ſaid treaſurer or ſteward and overſeer of the foundling hoſpital and work houſe, when ſo elected and appointed as aforeſaid, ſhall together with two other ſolvent and ſufficient perſons execute a bond to the ſaid governors in a ſum not leſs than two thouſand pounds, conditioned for his well and truly accounting upon oath to the ſaid governors once in every year, or oftener if he ſhall be thereunto required, for all ſums of money which ſhall

Treaſurer appointed during pleaſure at 150l. ſalary,

on bond with two ſufficient in 2000l. to account on oath yearly, or oftener if required, to act faithfully and keep clerks, for whom anſwerable.

ſhall come into his hands as treaſurer to the ſaid foundling hoſpital and work-houſe, and for faithfully diſcharging his duty in every particular, and for the keeping one or more good and ſufficient clerk or clerks under him the better to execute his ſaid office, for the juſt and good conduct of which clerk or clerks he ſhall be accountable.

Clerks not above 20l. a year,

VI. Provided nevertheleſs, that the ſum or ſums, to be paid to ſuch clerk or clerks, do not in the whole in any one year exceed the ſum of twenty pounds; and that every ſuch clerk ſo to be kept by the treaſurer for the time being, before he ſhall act as ſuch, ſhall be approved of by ſaid governors, or any eleven or more of them; and the ſaid governors ſhall alſo at the ſame time nominate and appoint a regiſter to the ſaid foundling hoſpital and work-houſe during pleaſure at a ſalary not exceeding ſixty pounds a year; and the ſaid regiſter ſhall from time to time ſummon every member of the ſaid corporation reſiding in Dublin, or the liberties thereto adjoining, to meet and aſſemble at the ſaid work-houſe, to hold a general court of aſſembly on the days herein after directed for the quarterly holding of the ſame, or oftener, at the ſaid work-houſe, or any other place, if the ſaid governors, or any eleven of them, or the court of aſſiſtants, or any five or more of them, ſhall ſee occaſion; and the ſaid regiſter ſhall alſo give notice to each member of the court of aſſiſtants of their days and place of meeting, and ſhall alſo do and perform all ſuch other buſineſs, as the ſaid governors, or any eleven of them, ſhall from time to time think neceſſary to be done; and the ſaid regiſter, before he enters upon his ſaid office, ſhall with two other ſolvent and ſufficient perſons execute a bond to the ſaid governors for a ſum not leſs than five hundred pounds, conditioned for his faithful diſcharge of the duties of his office; and it ſhall and may be lawful to and for the ſaid governors, eleven at leaſt being preſent at any ſuch meeting or meetings, to nominate and appoint during pleaſure two phyſicians to attend the ſaid foundling hoſpital and work-houſe during pleaſure at a yearly ſalary, not exceeding eighty pounds a year to each phyſician; and alſo to nominate and appoint all other neceſſary officers and ſervants to the ſaid foundling hoſpital and work-houſe during pleaſure, with ſuch reaſonable ſalaries as they ſhall judge proper, not exceeding in the whole, excluſive of thoſe hereby granted to the treaſurer, regiſter, and phyſicians, the yearly ſum of five hundred pounds: provided that no maſter or miſtreſs, employed for

firſt approved by eleven,

and regiſter at not above 60l. a year,

to ſummon members,

give notice to court of aſſiſtants,

and all other buſineſs as by 11 directed,

on bond 500l. with two others,

11 to appoint 2 attending phyſicans not above 80l. a year each,

and other officers and ſervants at not above 500l. a year in the whole,

no maſter or miſtreſs deemed officer or ſervant.

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for the inſtruction of the children in the ſaid work-houſe, nor any nurſe, be deemed an officer or ſervant within this clauſe.

If at general aſſembly to elect ſucceſſor to treaſurer or regiſter,

VII. And provided alſo, and be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid governors, or any eleven or more of them, upon the death, amotion, or reſignation of the treaſurer or regiſter from time to time for ever hereafter at the firſt or any other general aſſembly to be held after ſuch death, amotion, or reſignation, to elect a perſon to ſucceed ſuch treaſurer or regiſter, at the ſalary, and under and ſubject to all and every the regulations, conditions, and proviſoes herein before and herein after contained of and concerning the ſame reſpectively, and to make and ordain ſuch rules, ordinances, bye-laws, and other regulations, as the ſaid governors, or any eleven or more of them ſhall judge neceſſary and expedient for the good government of the ſaid foundling hoſpital and work-houſe, and the maintenance, education, and ſupport of the children received or to be received therein, or ſent to nurſe therefrom, or as the ſame be not contrary to the laws and ſtatutes of this realm.

make orders, &c.

not contrary to law.

All property, &c. veſted in governors.

VIII. And be it enacted by the authority aforeſaid, that all lands, tenements, and hereditaments belonging to the ſaid corporation, hereby to be diſſolved, either in poſſeſſion or reverſion, and all and every ſum and ſums of money, goods and chattles, debts and dues, and all right of action, right of entry, rights, profits, properties, uſes, truſts, intereſts, poſſibilities, claims, and demands whatſoever either in law or equity, which the ſaid corporation ſhall in any ſort be entitled unto, ſeized or poſſeſſed of, on the ſaid twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, ſhall from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy two be veſted in the ſaid governors hereby appointed, and their ſucceſſors for ever, for the uſe and ſupport of the ſaid foundling hoſpital and work houſe, any law or ſtatute to the contrary notwithſtanding.

Liable to all former ſuits, &c.

IX. And be it further enacted by the authority aforeſaid, that the ſaid corporation created by this act ſhall from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy two be ſubject and liable to all actions and ſuits, cauſes of actions and ſuits, claims and demands whatſoever, to which the ſaid corporation hereby to be diſſolved would have been ſubject and liable, in caſe this act had not been made; and that all actions and ſuits, which ſhall have been brought or inſtituted either by or againſt the ſaid corporation hereby to be diſ-

ſolved, and ſhall be depending on the ſaid twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, may be continued and carried on by or againſt the ſaid corporation hereby created by the name of the governors of the foundling hoſpital and work-houſe of the city of Dublin, in the ſame manner as ſuch actions or ſuits might have been continued or carried on by or againſt the ſaid corporation, in caſe the ſame had not been diſſolved.

4 quarterly meetings,

X. And be it further enacted by the authority aforeſaid, that the ſaid governors ſhall have four general quarterly meetings in every year on every Monday next after the twenty fourth day of June, and Monday next after the twenty ninth day of September, and Monday next after the twenty fifth day of December, and Monday next after the twenty fifth day of March, to be held at the ſaid foundling hoſpital, that they or any eleven or more of them ſhall at their general quarterly meeting or aſſembly, which ſhall be held the Monday immediately after the twenty fourth day of June in every year, conſtitute and appoint out of all the ſaid governors of the ſaid foundling hoſpital and work-houſe the number of fifteen or more, to be called the court of aſſiſtants, which perſons ſo choſen, or any five or more of them, ſhall have full power and authority for the term and ſpace of one year after their being ſo choſen to meet and aſſemble themſelves together at ſuch place and places, and as often, as they ſhall think proper; and ſhall and may put in force and execution all and every the laws, rules, orders, and regulations, which have been or ſhall from time to time be made or ordained by the ſaid governors at any of their ſaid quarterly or other general meetings or aſſemblies, wherein eleven at leaſt ſhall have been preſent, and ſhall alſo execute, do, and perform the ſeveral matters hereby intruſted to them; and ſhall order ſummonſes for the calling a general aſſembly, ſo often as they ſhall ſee occaſion; and the ſaid court of aſſiſtants, or any five of them, ſhall during the ſaid term of one year have full and abſolute power and authority to inſpect into and regulate the management of the ſaid foundling hoſpital and work-houſe, and the children received therein, or ſent to nurſe therefrom: provided, that every rule or order, made or ordained by any general court of aſſembly, ſhall be binding and concluſive to ſaid court of aſſiſtants, and that they do not preſume to ſuſpend, invalidate, alter, or contradict the ſame, or any thing in this act contained.

altered 15 & 16 G. 3. c. 25 ſ. 6.

15 or more appointed court of aſſiſtants after 24 June yearly.

5 to meet and act, and execute orders by eleven governors at meeting,

order general aſſembly as occaſion,

inſpect and regulate,

but orders of general aſſembly binding on aſſiſtants.

XI. And whereas there are now, and may happen to be on the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy

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ſeventy two conſiderable ſums of money due out of the reſpective pariſhes and places *extra parochial* within the ſaid city of Dublin and the liberties thereto adjoining, which ought to have been levied and received by the ſeveral collectors for the uſe of the ſaid work-houſe; and there may be alſo arrears due for coaches, chairs, chaiſes, drays, carts, cars, and other carriages, and for rents due out of the lands, tenements, and hereditaments, which have been granted unto or belonging to the ſaid corporation hereby to be diſſolved: to the end therefore that all ſuch arrears may be collected and applied for the purpoſes of the foundling hoſpital and work-houſe, be it further enacted by the authority aforeſaid, that all and ſingular the ſaid arrears, and all right thereunto, be and are hereby veſted in the governors of the foundling hoſpital and work-houſe of the city of Dublin, appointed by this act, and their ſucceſſors for ever, for the uſe of the ſaid foundling hoſpital and work-houſe; and that each and every of the inhabitants of the ſeveral houſes in the ſaid city and liberties thereunto adjoining, and alſo the tenants to the ſeveral lands, tenements, and hereditaments, that have been granted to or belong to the ſaid corporation; and alſo every perſon indebted or in arrear for or on account of coaches, chaiſes, chairs, drays, carts, cars, and other carriages and ſedans, who have not duly paid the ſeveral ſums of money, which they were reſpectively obliged to pay purſuant to the ſaid recited acts, or by virtue of any leaſe, minute, contract, or agreement, or licence, do pay the ſame to ſuch perſon or perſons, who by the ſaid governors hereby nominated and appointed, or any eleven or more of them, ſhall from time to time be appointed at any general aſſembly to collect the ſame; and that ſuch perſon or perſons ſo appointed ſhall have full and abſolute power and authority to receive all ſuch arrears, or to ſue for and recover the ſame by diſtreſs, or any other ways or methods, in as full and ample a manner as the ſame could or might have been ſued for and recovered by the ſaid recited acts, or any of them; and that the ſaid arrears, or ſo much thereof as ſhall be collected and received, ſhall be applied and diſpoſed of in the firſt place for the payment of ſuch debts, as have or ſhall have been *bona fide* contracted by the governors appointed by the before recited acts, or any of them, in the management and ſupport of the ſaid houſe; and the overplus, if any, ſhall be applied in ſuch manner, and to ſuch uſes of the foundling hoſpital or work-houſe, as the governors thereof hereby appointed, and their ſucceſſors, eleven at leaſt being preſent, ſhall direct and appoint at any general aſſembly; and that ſuch perſon or perſons, as

Arrears veſted in governors,

paid to their order,

as by ſaid acts,

firſt applied to debts,

then to uſes of the hoſpital or work-houſe as by 11 at general aſſembly,

as ſhall be appointed to collect and receive the ſaid arrears, or all or any of the funds hereby intended for the uſe of the ſaid houſe, and the maintenance, education, and ſupport of the children, ſhall give receipts under his or their hands for all ſuch ſum and ſums of money, as by him or them ſhall be collected and received; which receipt ſhall be a ſufficient and legal diſcharge to the perſons ſo obtaining the ſame. A. D. 1771-2. Chap. 11. receipts by collectors a diſcharge.

XII. And be it further enacted by the authority aforeſaid, that the treaſurer, and all and every perſon or perſons who ſhall be intruſted with the receipt or diſburſement of the revenue of the corporation hereby created, or any part thereof, and all other perſons whatſoever who ſhall account with the ſaid corporation, eleven of the governors at leaſt being preſent, for any ſum or ſums of money by him or them collected, received, or diſburſed for the uſe of the ſaid corporation, ſhall account on oath before the ſaid governors; and ſhall alſo account on oath for all diſburſements or payments made by him or them, if required; which oaths the ſaid governors, or any eleven or more, are hereby impowered to adminiſter. Accounts for receipts and diſburſements on oath,

XIII. And whereas the reception of vagabonds and ſtrolling beggars into the ſame houſe, or within the ſame walls with children, will be manifeſtly injurious by the ſetting a bad example, and the number of very mean perſons who muſt neceſſarily attend them: therefore be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and ſeventy two, no vagabond or ſtrolling beggar ſhall be ſent into the ſame houſe, or kept within the ſame walls, with the children hereby intended to be provided for; but that every ſuch perſon, who may be apprehended in purſuance of this act, ſhall be ſent to bridewell, or to ſuch other place as the ſaid governors, or any eleven of them, ſhall think fit to appoint within the ſaid city or liberties, ſeparate, diſtinct, and apart from the ſaid children; and that ſaid vagabonds and ſtrolling beggars ſhall be maintained and ſet to work at the expence of the ſaid corporation out of the revenue hereby granted to them; and the ſaid governors, or any eleven of them, are hereby impowered and directed to make ſuch rules and orders for the relieving, regulating, and ſetting to work, and for the good and proper management of ſuch vagabonds and ſtrolling beggars, and of the perſons neceſſary to attend and overſee them, as to them ſhall ſeem proper, and to provide ſuch neceſſaries and materials as they ſhall think convenient for the ſetting ſuch vagabonds and ſtrolling beggars at work; and alſo to apply the produce of ſuch work, No vagabond or ſtrolling beggar with the children, but ſent to bridewell, &c. maintained and ſet to work at expence of corporation, regulated by it, produce of their work in aid of the revenues.

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work, and the benefit that may ariſe from the ſale thereof, in aid of their revenues to the uſe of the foundling hoſpital and work houſe.

11 Governors, 5 aſſiſtants, may puniſh on not conforming.

XIV. And be it further enacted by the authority aforeſaid, that the ſaid governors, or any eleven or more of them, and the ſaid court of aſſiſtants, or any five of them, ſhall have power to inflict reaſonable puniſhment or correction from time to time on any vagabond, beggar, or poor perſon within the ſaid bridewell or other place of confinement, who ſhall not conform to ſuch rules and regulations ſo to be made as aforeſaid.

A governor or city magiſtrate may apprehend beggars and vagabonds,

XV. And be it further enacted by the authority aforeſaid, that the ſaid governors, and each and every of them, and any juſtice of the peace for the ſaid city, ſhall have full power to apprehend all idle or poor people begging or ſeeking relief, and all vagabonds and ſturdy and ſtrolling beggars within the ſaid city of Dublin, or the ſuburbs or liberties thereof: and that each and every beadle or bellower of each and every pariſh within the ſaid city and ſuburbs of the ſaid city of Dublin or the liberties thereto adjoining, and each and every conſtable within their reſpective diſtricts or juriſdictions, ſhall be hereby required and impowered, and each and every pariſhioner or inhabitant in any of the pariſhes aforeſaid, or any other perſon whatſoever calling to his or her aſſiſtance the beadle of the pariſh or a conſtable, ſhall have full power and authority to ſeize, and apprehend, and bring before any one of the ſaid governors, or any one of his Majeſty's juſtices of the peace of the ſaid city, any ſturdy ſtrolling beggar or beggars, or other idle vagabond or vagabonds, that ſuch beadle or bellower, conſtable, pariſhioner, and inhabitant, ſhall know, find, or be informed of to be begging, ſtrolling in, or frequenting in any of the ſtreets, houſes, or other places within the ſaid city or ſuburbs, or liberties thereto adjoining; and the ſaid governor or juſtice of the peace is hereby impowered and required by warrant under his hand and ſeal, which warrant every beadle, bellower, and conſtable within the ſaid city, ſuburbs, or liberties thereof is required to execute, and to be aiding and aſſiſting in the execution of, to commit the ſaid perſon or perſons, who ſhall from time to time be ſo apprehended upon view, or brought before him or them, or any of them, to bridewell, or ſuch other place as ſhall for that purpoſe be appointed as aforeſaid, there to be confined and kept to hard labour, as he ſhall think fit to direct in and by his ſaid warrant, until the next general court of aſſembly; and ſuch court of aſſembly, there not being leſs than eleven governors

beadle, conſtable, pariſhioner calling their aſſiſtance, may ſeize,

and bring before a governor or juſtice,

committed to bridewell, &c. to hard labour till next aſſembly,

then, if cauſe, confined not above

governors preſent, if they ſhall ſee ſufficient cauſe, ſhall and may confine ſuch ſturdy ſtrolling beggar or beggars, idle vagabond or vagabonds, or other perſon ſo committed as aforeſaid, for any term or time, not longer than three years, there to be kept to hard labour, or otherwiſe uſefully employed as they ſhall ſee cauſe, and ſhall order and direct; and if any beadle, or bellower, or conſtable, ſhall, when called or ſent for by any pariſhioner or inhabitant aforeſaid, or other perſon, neglect or refuſe to ſeize, apprehend, and bring before any one of the ſaid governors, or any one of his Majeſty's juſtices of the peace of the ſaid city, any ſturdy beggar or beggars, or other idle vagabond or vagabonds, that ſhall be found begging, ſtrolling, or frequenting in any of the ſtreets or houſes within the ſaid city and ſuburbs of Dublin or the liberties thereunto adjoining, or ſhall otherwiſe be negligent or offend contrary to the intent and meaning of this act, that then ſuch beadle, bellower, or conſtable ſo neglecting or refuſing when called upon or ſent for as aforeſaid, or ſo offending, ſhall for every ſuch offence upon conviction thereof in a ſummary way by the oath of any one credible perſon before any general aſſembly or court of aſſiſtants, or any five of them, forfeit and pay to the ſaid governors for the uſe of the ſaid houſe the full ſum of twenty ſhillings, to be recovered in caſe of non-payment by diſtreſs and ſale of the goods and chattles of the offender or offenders by warrant under the hands and ſeals of the ſaid governors, or any eleven of them preſent at any ſuch general court of aſſembly, or under the hands and ſeals of the ſaid court of aſſiſtants; and in caſe ſuch beadle, bellower, or conſtable ſhall not be able to pay, or ſhall not pay, the fine impoſed upon him or them for ſuch offence committed againſt this act, ſuch beadle, bellower, or conſtable in that caſe ſhall be ſubject to like pains and penalties, as are by this act impoſed upon any vagabonds or beggars.

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3 years, or uſefully employed, beadle, &c. neglecting forfeits 20s. for the houſe;

on non-payment ſubject as vagabond or beggar.

XVI. And be it further enacted by the authority aforeſaid, that all and every poor child and children under the age of ſix years, who ſhall be found or taken up within the ſaid city and liberties thereunto adjoining, or ſent to the foundling hoſpital, ſhall be received and kept therein, or ſent to nurſe therefrom; and that all children who ſhall appear to be ſix years old, and whoſe age ſhall not be thought to exceed eight years, and ſhall be preſented to the ſaid governors, eleven at leaſt being preſent, or to the ſaid court of aſſiſtants, or any five or more of them, to be received or admitted into the ſaid houſe, ſhall be by them received, provided there ſhall be proper room in the ſaid houſe, and provided ſuch child

Poor foundlings under 6 received or ſent to nurſe,

if preſented, and not thought above 8, received if room, and ſound mind and body, *altered by* 13 *and* 14 *G.* 3. *c.* 17. *ſ.* 1.

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child or children ſo from time to time to be preſented for admiſſion ſhall appear to be found in mind and body.

Inſtructed in religion, reading, &c. and matters uſeful to the fund.

XVII. And be it further enacted by the authority aforeſaid, that all children, ſo received or to be received into the ſaid houſe, ſhall, as ſoon as they ſhall be capable, be thoroughly inſtructed in the principles of the proteſtant religion of the church of Ireland as by law eſtabliſhed, and ſhall be taught to read, write, and caſt accounts, and ſhall be alſo inſtructed in ſuch other uſeful matters, as the ſaid governors, or any eleven of them, ſhall think proper, and may tend to increaſe the fund for the ſupport of the ſaid houſe.

Indented apprentices to proteſtant tradeſmen, ſeafaring, or for ſervants, not above 7 years,

with covenant to educate a proteſtant.

XVIII. And be it further enacted by the authority aforeſaid, that the ſaid governors ſhall and may from time to time, eleven at leaſt being preſent, or ſaid court of aſſiſtants, five at leaſt being preſent, place out apprentices by proper indentures containing uſual, legal, and reaſonable covenants, ſuch and ſo many of the ſaid children admitted or to be admitted into the ſaid houſe, as they ſhall think proper, to perſons of the proteſtant religion following or profeſſing any art, trade, myſtery, or calling, or to ſeafaring men, or to gentlemen or houſe keepers for ſervants, for any term not exceeding ſeven years; in every which indenture ſhall be contained a covenant, that every child ſo apprenticed ſhall be inſtructed, educated, and brought up during his apprenticehood in the proteſtant religion.

Nurſes or attendants convicted on oath of diſorder or petty fraud, committed not above 14 days,

XIX. And whereas the great number of children to be received into the ſaid houſe will make it neceſſary alſo to entertain and keep a great number of nurſes or other attendants; and it has been found by experience, that great diſorder and many petty frauds have been committed by ſuch perſons: therefore be it further enacted by the authority aforeſaid, that the ſaid governors of the ſaid foundling hoſpital and work houſe, eleven at leaſt being preſent, or the ſaid court of aſſiſtants, or any five or more of them, ſhall have full power and authority by warrant under their hands and ſeals to commit ſuch perſon upon conviction by the oath of one credible witneſs, which oath the ſaid governors or any five of them are hereby impowered to adminiſter, that he, ſhe, or they have been diſorderly or guilty of petty frauds in the ſaid houſe, to bridewell, there to be kept to hard labour for any time not exceeding fourteen days.

XX. And whereas it is neceſſary for the ſupport of the ſaid foundling hoſpital and work houſe, and maintenance, education and ſupport of the foundling and other poor children to be received therein, and ſent to nurſe therefrom, that the ſeveral fines

and

and yearly rents, payable by the ſaid acts, to be repealed, for the carriages therein mentioned, ſhould be revived and continued, and be veſted in the ſaid governors of the foundling hoſpital and work houſe; and that ſome further funds ſhould be provided, as it is found by experience, that the numbers of children are of late years greatly increaſed, and the children are brought to the hoſpital from all parts of the kingdom, and from his Majeſty's neighbouring dominions: be it further enacted by the authority aforeſaid, that the ſaid governors, eleven at leaſt being preſent, ſhall have power and authority, and they are hereby impowered and required, under their common ſeal, from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, from time to time, and at all times for ever thereafter, to licenſe all ſuch perſons, as ſhall own, keep, or drive any hackney coach, landau, chariot, poſt chaiſe, or berlin, or other carriage drawn by two or more horſes or other beaſts plying in the ſtreets, and carrying for hire any perſon or perſons within the ſaid city, ſuburbs, and liberties, or from any part thereof, to any place not exceeding the diſtance of ſeven miles therefrom, or plying as a ſtage from the ſaid city or liberties to any place not exceeding the diſtance of ſeven miles from thence; and alſo all ſuch perſons as ſhall own, keep, drive, or let out for hire within the ſaid city, ſuburbs, and liberties by the day, week, month, year, or otherwiſe, any coach, landau, chariot, poſt chaiſe, berlin, or other carriages drawn by two or more horſes or other beaſts in the way of job for the ſole uſe of particular perſons within the ſaid city, ſuburbs, or liberties, and which ſhall not ply for publick convenience, and alſo all ſuch perſons as ſhall own, keep, drive, or let out for hire within the ſaid city, ſuburbs, or liberties any horſe or horſes, or other beaſts, to draw any coach, landau, chariot, poſt chaiſe, or berlin in the way of job; and alſo all ſuch perſons as ſhall own, keep, drive, or let out for hire within the ſaid city, ſuburbs, or liberties, any hearſe or mourning coach; and alſo all ſuch perſons who ſhall own, keep, drive, or carry any hackney chair, or ſedan, job chair or ſedan, within the ſaid city, ſuburbs, or liberties, or any Ring's-end car, chair, chaiſe, chaiſe marine, or other carriage drawn by one or more horſes or other beaſts for the uſe of carrying for hire any perſon or perſons within the ſaid city, ſuburbs, or liberties, or within ſeven miles thereof, or ſhall own, keep, or drive any cart, car, dray, or other carriage plying and carrying for hire any load taken up within the ſaid city, ſuburbs, and liberties, or belonging to any brewer, and employed in

11 to licence hackney carriages plying within 7 miles,

or ſtages,

job coaches and horſes,

hearſes or mourning coaches,

ſedans,

chaiſes, carts, &c.

drays, &c. within 3 miles,

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drawing materials for building or paving

in that buſineſs, or within three miles thereof, or any cart, car, or other carriage, that ſhall bring, carry, or draw into the ſaid city or liberties, be it for hire or ſale, or otherwiſe, any bricks, ſtones, ſand, gravel, lime, or other materials, employed or made uſe of in building or paving, or any private cart, car, dray, or other carriage, ſet up by any perſon reſiding within the ſaid city, ſuburbs, or liberties, and employed in the carriage of goods or commodities, which ſuch perſon ſhall have on commiſſion, or ſhall have ſold; and all ſuch perſons who ſhall keep or uſe within the ſaid city, ſuburbs, or liberties, any private chair, or ſedan, for his or her own uſe; or any perſon who ſhall ply within the ſaid city, ſuburbs, or liberties as a meſſenger or porter, or carry any goods or merchandize for hire within the ſame.

altered 13 *and* 14 G. 3. c. 17. ſ. 5. private carts, &c. carrying on commiſſion, private ſedans, meſſenger or porter,

XXI. Provided always, that the number of all common hackney coaches, landaus, chariots, poſt chaiſes, or berlins, ſo to be licenced as aforeſaid, ſhall not exceed three hundred, and the number of common ſedan chairs to be licenced not to exceed four hundred; and for every licence to be granted for each and every hackney coach, job coach, or other carriage drawn by two or more horſes or any other beaſts, and carrying for hire any perſon or perſons within the ſaid city, ſuburbs, and liberties; and for each and every coach or other carriage drawn by one or more job horſe or horſes, and for each and every hearſe and mourning coach, there ſhall be paid to the ſaid governors, or to their officer appointed for that purpoſe under their common ſeal, the ſum of five pounds by way of fine for ſuch licence; and for every licence for every hackney chair or ſedan, job chair or ſedan, the ſum of ten ſhillings by way of fine for ſuch licence; and for every licence for every Ring's-end car, chair, chaiſe, chaiſe marine, or other carriage drawn by one horſe or other beaſt, and plying for and carrying for hire any perſon or perſons within the ſaid city, ſuburbs, and liberties, the ſum of thirty ſhillings by way of fine for every ſuch licence; and for every dray, cart, car, or other carriage belonging to a brewer, and employed in that buſineſs in the ſaid city, ſuburbs, and liberties, or within three miles thereof, and for every cart and car uſually plying and delivering for hire in the ſaid city and liberties any goods, merchandizes, or other load taken up within the ſaid city and liberties, the ſum of twenty ſhillings by way of fine for ſuch licence; and for every cart, car or other carriage, drawn by more than one horſe or other beaſt than one, and employed in drawing into the ſaid city and liberties any bricks, ſtones, ſand, gravel, lime, or other material uſually employed and made uſe of in building or paving, be the

Hackneys not above 300, ſedans 400,

fines paid on licence,

ſame for hire or ſale otherwiſe, the ſum of twenty ſhillings, by way of fine; and for every car, cart, or other carriage drawn only by one horſe or other beaſt, and employed as aforeſaid, be the ſame for hire, or ſale, or otherwiſe, the ſum of ten ſhillings by way of fine for ſuch licence; and for every private car, cart, dray, or other carriage, which ſhall be ſet up or kept by any perſon reſiding within the ſaid city, ſuburbs, or liberties, and be employed in the carriage of malt, corn, meal, flour, ſalt, or any goods or commodities which ſuch perſon ſhall have on commiſſion, and in the carriage and delivery of any goods or commodities ſold by ſuch perſons, the ſum of twenty ſhillings by way of fine for ſuch licence; and for every private ſedan chair, kept or uſed by any perſon for his or her own uſe, the ſum of five ſhillings by way of fine for ſuch licence, and for every perſon, who ſhall ply as a meſſenger or porter for hire, the ſum of five ſhillings by way of fine for ſuch licence, before ſuch licences ſhall be granted reſpectively and delivered; and the ſaid ſeveral and reſpective licences herein before particularly mentioned ſhall and may be granted after the payment of the ſeveral and reſpective fines before directed for any term not exceeding twenty one years; and ſhall be tranſferable or deviſeable by the parties, to whom the ſame ſhall be granted, their executors, adminiſtrators, and aſſigns, in manner herein after mentioned, and under the rents and covenants to be contained in the deeds or inſtruments granting ſuch licence reſpectively.

licences not exceeding 21 years,

transferable or deviſeable.

XXII. Provided always, and it is hereby enacted by the authority aforeſaid, that upon each and every of the ſaid licences for each and every hackney coach, landau, chariot, poſt chaiſe, or berlin, job coach, landau, chariot, poſt chaiſe, or berlin, drawn by one or more job horſes, and each and every hearſe and mourning coach, there ſhall be reſerved and made payable to the ſaid governors and their ſucceſſors the yearly rent or ſum of forty ſhillings; and for each and every common chair, or ſedan job chair, or ſedan, the yearly rent or ſum of ten ſhillings; and for each and every private ſedan chair the yearly rent or ſum of ten ſhillings; and for each and every Ring's-end car, chair, chaiſe, or chaiſe marine, the yearly rent or ſum of ten ſhillings; and for each and every brewers dray, cart, or car, the yearly rent or ſum of twenty ſhillings; and for each and every other cart and car, uſually plying and delivering for hire within the ſaid city, ſuburbs, and liberties, any goods, merchandize, or other load taken up within the ſaid city and liberties, the yearly rent or ſum of ten ſhillings; and for each and every car, cart, or other carriage, that ſhall be employed in drawing into the ſaid city or liberties, any

Rents reſerved on licence,

any bricks, ſtones, ſand, gravel, lime, or other material uſually made uſe of in building or paving, there ſhall be paid, if drawn by more than one horſe or other beaſt, the yearly rent or ſum of ten ſhillings, and if only by one horſe or other beaſt the yearly rent or ſum of five ſhillings; and for each and every private car, cart, dray, or other carriage, kept and employed as aforeſaid in the carriage of goods or commodities as aforeſaid, the yearly rent or ſum of ten ſhillings; and for each and every perſon thereby impowered to ply as a meſſenger or porter the yearly rent or ſum of four ſhillings; the ſaid ſeveral and reſpective rents to be paid quarterly at the four uſual days of payment in every year, *viz.* on every twenty ninth day of September, twenty fifth day of December, twenty fifth day of March, and twenty fourth day of June, with ſuch covenants, conditions, and proviſoes therein to be inſerted for the more effectual payment thereof, or better regulations of the perſons receiving ſuch licence, and their aſſigns reſpectively, as the ſaid governors or any eleven of them in their diſcretion ſhall think fit.

payable quarterly.

with covenants.

Licence, except by deviſe, not transferred without conſent of 11,

XXIII. And be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two no perſon or perſons, who is or hereafter may be poſſeſſed of any licence or licences, ſhall transfer or aſſign the ſame, except by deviſe, to any perſon or perſons without the conſent and approbation of the ſaid governors, or any eleven of them, or the court of aſſiſtants, being firſt had and obtained for that purpoſe: but that every ſuch aſſignment or transfer ſhall be indorſed upon the back of the deed granting ſaid licence, and be ſigned by two or more of the ſaid governors ſo conſenting as a teſtimony of their conſent and approbation; and if any perſon or perſons ſhall preſume to transfer or aſſign any licence or licences contrary to the true intent and meaning hereof, ſuch transfer or aſſignment ſhall be null and void, and the licence or licences thereby aſſigned ſhall be forfeited to the ſaid governors.

indorſed by 2,

or void, and forfeited.

Every change regiſtered in a month,

XXIV. And be it further enacted by the authority aforeſaid, that an entry ſhall be made of every grant, aſſignment, transfer, deviſe of or change of property in every ſuch licence, in a numerical book or books, to be kept by the regiſter of the ſaid foundling hoſpital and work houſe for that purpoſe, within one month after ſuch grant, aſſignment, transfer, change of property in, or deviſe; which entry ſhall be ſigned by or have the mark of every ſuch grantee, aſſignee, deviſee, or perſon poſſeſſed of the ſame,

put

put thereunto in the preſence of the ſaid regiſter, who ſhall counter-ſign the ſame, and be made in the following words.

A. B. of in the City of Dublin, or liberty of doth regiſter a grant, aſſignment, or deviſe (as the caſe ſhall happen to be) of a licence to keep N°. dated the day of one thouſand ſeven hundred and made unto him by entered this day of one thouſand ſeven hundred and

for the making of which entry the ſum of ſix pence, and no more, ſhall be paid to the ſaid regiſter; to which book and books every perſon concerned ſhall have free acceſs to inſpect at all times without fee or reward: and in caſe where any perſon ſhall have obtained poſſeſſion of any ſuch licence by means of the right to the poſſeſſion thereof having devolved upon him by the death of any perſon to whom the ſame was granted, deviſed, or transferred in manner herein mentioned inteſtate, then the words *a grant, aſſignment or deviſe of* and alſo the words *dated the day of one thouſand ſeven hundred and made unto him by* ſhall be omitted, and inſtead of theſe latter words ſhall be inſerted *which came unto him by the death of inteſtate*. And in caſe no ſuch entry ſhall be made within the ſpace of one month after ſuch grant, deviſe, or aſſignment, or change of property, every ſuch grantee, deviſee, or aſſignee, or perſon poſſeſſed of and uſing the ſame, ſhall upon ſuch failure forfeit the full ſum of one year's rent contained in and reſerved by ſaid licence; to be recovered and diſpoſed of as is herein after mentioned; and in caſe no ſuch entry ſhall be made within the ſpace of three months after ſuch grant, deviſe, or aſſignment, then every ſuch grant, deviſe, or aſſignment ſhall be and is hereby declared to be null and void; and every ſuch licence ſhall be forfeited to the ſaid governors.

Fee 6d.

on failure 1 years rent forfeited,

if not in 3 months licence forfeited,

XXV. Provided always, that no ſuch conſent or approbation ſhall be given, nor no ſuch entry made, until all arrears due upon ſaid licence be firſt paid off and diſcharged.

Arrears firſt paid.

XXVI. And be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two no perſon ſhall preſume to own, keep, or drive any hackney coach, landau, chariot, poſt chaiſe, berlin, job coach, landau, chariot, poſt chaiſe, berlin, or any

Penalties on keeping ſuch carriages, &c. without licence.

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other carriage drawn by two or more beaſt or beaſts, and carrying for hire by the hour, day, week, month, or year, or any other ſpace of time, any perſon or perſons, or to own, keep, drive, or let out to hire any beaſt or beaſts to draw any coach, landau, chariot, poſt chaiſe, or berlin in the way of job, or any hearſe or mourning coach, within the ſaid city, ſuburbs, or liberties, without ſuch licence being firſt obtained from the ſaid governors as aforeſaid, under the penalty of ten pounds for each and every ſuch offence; or to own, keep, or carry within the ſaid city and liberties any hackney chair, or ſedan job chair, or ſedan, without ſuch licence being firſt obtained, under the penalty of five pounds for every ſuch offence; or to keep or uſe any private chair or ſedan without ſuch licence as aforeſaid, under the penalty of twenty pounds for every ſuch offence; or to own, keep, or drive any Ring's-end car, chair, chaiſe, or chaiſe marine without ſuch licence as aforeſaid, under the penalty of forty ſhillings for every ſuch offence; or to own, keep, or drive any dray, cart, car, or other carriage employed in the buſineſs of a brewer in the ſaid city, ſuburbs, and liberties, or within three miles thereof, without ſuch licence, under the penalty of thirty ſhillings for every ſuch offence; or to own, keep, or drive any other cart or car, dray, or other carriage, for which a licence is directed by this act to be taken out, without ſuch licence being firſt obtained, under the penalty of twenty ſhillings for every ſuch offence; or to ply as a meſſenger or porter for hire within the ſaid city, ſuburbs, or liberties, without ſuch licence, under the penalty of five ſhillings for every ſuch offence; which ſaid reſpective penalties are to be recovered and diſpoſed of, as is herein after directed.

Liable to be ſeized.

XXVII. And be it further enacted by the authority aforeſaid, that every hackney coach, landau, chariot, poſt chaiſe, or berlin, job coach, landau, chariot, poſt chaiſe, berlin, and coach, landau, chariot, poſt chaiſe, or berlin, drawn by one or more job horſes, hearſe or mourning coach, or hackney chair, or ſedan, job chair or ſedan, Ring's-end car, chair, chaiſe, or chaiſe marine, and every dray, cart, car, or other carriage, ſubject to a fine for a licence by virtue of this act, and which ſhall be found plying for hire, or employed contrary to the intent and meaning of this act within the ſaid city, ſuburbs, and liberties, without ſuch licence being firſt obtained, and every private chair or ſedan, which ſhall be in uſe or employment or keeping without ſuch licence being firſt obtained, and that alſo every brewer's dray, cart, car, or other carriage, which ſhall be found in the ſaid city, ſuburbs, and liberties, or within three miles thereof, and employed in that buſineſs,

buſineſs, without ſuch licence being firſt obtained, whereby the owners, keepers, carrier or driver of the ſame ſhall have incurred any of the penalties aforeſaid, ſhall be ſeized, and that it ſhall and may be lawful to and for any perſon to ſeize ſuch carriage, chair, or ſedan, and the ſame together with the horſe, horſes, or other beaſt or beaſts drawing the ſame, with all the harneſs and accoutrements thereunto belonging, to lodge in the yard of ſaid work houſe with the treaſurer, or in his abſence with ſome other known officer of the ſaid houſe, or in ſome other convenient place; or the ſame to deliver to any beadle or bellower of any pariſh within the city, ſuburbs, or liberties, or to any conſtable therein, who is hereby required forthwith to lodge the ſame in manner aforeſaid; and the ſaid treaſurer, or in his abſence ſuch other officer of the ſaid houſe as aforeſaid, is hereby required to detain the ſame, unleſs the ſaid ſeveral penalties for the ſaid reſpective carriages, chairs, or ſedans, ſhall be paid with all coſts and charges attending the ſeizing of the ſame, or the maintenance of any beaſt or beaſts drawing the ſame, until the court of aſſiſtants, or any five or more of them, ſhall meet, who are hereby impowered to inquire into ſaid matters, and to examine thereunto all ſuch perſons, as they ſhall think proper, upon oath, which they are hereby impowered to adminiſter; and if it ſhall appear to them upon ſuch inquiry, that ſuch carriage, chair, or ſedan has incurred any of the penalties or forfeitures aforeſaid, that then they the ſaid court of aſſiſtants, or any five of them, ſhall by warrant under their hands and ſeals direct the treaſurer or other officer of ſaid houſe as aforeſaid to ſell ſuch carriages and harneſs, and accoutrements, with the horſes or other beaſts ſo ſeized and lodged as aforeſaid, or if the ſaid carriage be not a hackney or job carriage, but that one or more of the horſes drawing the ſame be a job horſe or horſes, then to ſell ſuch job horſe or horſes with the harneſs, and to ſell any ſuch ſedan; and by ſuch ſale to raiſe the ſaid penalties due for the ſaid reſpective carriages, horſes, chair, or ſedan, together with the coſts and charges attending the ſeizing of the ſame, and the maintenance of any beaſt drawing the ſame, and a ſum of after the rate of one ſhilling in the pound of every ſuch penalty for his trouble in ſelling the ſame, unleſs the ſaid penalties with the ſaid coſts and charges ſhall be fully paid within three days from the date of the ſaid warrant, ſo to be granted as aforeſaid.

lodged in workhouſe yard, &c.

detained till payment with charges,

till enquiry by court of aſſiſtants,

who may iſſue warrant to ſell and raiſe the penalties if not paid in three days.

XXVIII. And if any perſon ſhall hinder or obſtruct the ſeizing or conveying to, or lodging as aforeſaid, any ſuch carriage and harneſs,

Obſtruction, violence, or attempt to reſcue, 5*l.*

harneſs, accoutrements, or the horſe, horſes, or other beaſt or beaſts drawing the ſame, or any ſuch ſedan; or if the ſaid treaſurer or other officer, after ſuch carriage or carriages, horſe, horſes, or other beaſt or beaſts, or ſedan chair ſhall be ſeized, ſhall be obſtructed in the ſale thereof, when authorized thereunto, or if any perſon ſhall uſe or offer any violence to the perſon concerned in making ſuch ſeizure or ſale, or ſhall reſcue or attempt to reſcue, any ſuch ſeizure, be it further enacted by the authority aforeſaid, that every ſuch perſon ſo offending ſhall upon conviction thereof before any juſtice of peace for the ſaid city upon the oath of one credible perſon, which oath ſuch juſtice is hereby impowered to adminiſter, forfeit for every ſuch offence the ſum of five pounds, and for non-payment of ſuch forfeiture, be committed to gaol, and there impriſoned for three months and no longer.

on non-payment impriſoned three months.

XXIX. And be it further enacted by the authority aforeſaid, that upon complaint made, and it appearing to the lord mayor, the ſheriffs of the city of Dublin, or any juſtice of the peace of the city or county, who ſhall examine on oath the perſons ſo complaining, if he thinks proper, that any hindrance or obſtruction has been, or any violence uſed as aforeſaid, or reſcue intended or attempted, the ſaid lord mayor, the ſaid ſheriffs or juſtice, is and are hereby not only impowered but required immediately to give the fulleſt aſſiſtance of the civil power, which by law they are hereby enabled to do on any occaſion whatſoever, to the end that ſuch carriage or carriages, horſe or horſes, or other beaſt or beaſts, or ſedan chair, may be ſeized, lodged, and ſold, as hereby is particularly and reſpectively directed.

Lord mayor and ſheriffs on complaint, on oath, if thought fit, ſhall immediately give utmoſt aſſiſtance of civil power.

XXX. And for the more effectual preventing of ſaid offences, whereby the revenues of the ſaid houſe might be conſiderably diminiſhed, be it further enacted by the authority aforeſaid, that in caſe the ſaid governors, or any eleven or more of them, or the court of aſſiſtants, or any five of them, ſhall at any time be informed, or have reaſon to believe, that any carriage, chair, or ſedan has plyed, or been drawn, carried, uſed, kept, or employed within the ſaid city, ſuburbs, or liberties, without licence, contrary to the intent and meaning of this act, it ſhall and may be lawful to and for the ſaid governors, or any eleven or more, and for the ſaid court of aſſiſtants, or any five of them, to ſummon all and every perſon or perſons, whom they ſhall ſuſpect to be guilty of any of ſaid offences, and to enquire thereunto in manner aforeſaid; and in caſe ſuch perſon or perſons ſhall not appear on the day appointed in ſaid ſummons, provided the ſaid ſum-

Perſons ſuſpected of uſing without licence ſummoned,

mons ſhall have been left four days before the ſaid day at his, her, or their uſual place of abode, or he, or ſhe, or they ſhall have been perſonally ſerved therewith, or ſhall be convicted of any of the ſaid offences before the court of aſſiſtants, or any five of them, then by warrant under their hands and ſeals to commit ſuch perſon to bridewell, or any other place they ſhall think proper, there to be kept to hard labour until he, ſhe, or they ſhall pay the penalty incurred for ſaid offence by virtue of this act, and ſhall alſo pay to the perſon or perſons informing of ſaid offence the ſum of forty ſhillings over and above ſaid penalties.

not appearing on four days ſervice, or convicted, committed till penalty paid and 40s. to informer.

XXXI. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall ply as a meſſenger or porter for hire within the ſaid city, ſuburbs, or liberties without ſuch licence, as is required and made neceſſary, for ſuch perſon by this act, ſhall and may be ſeized, apprehended, committed, and puniſhed, in the ſame manner as is hereby enacted for and in reſpect to idle or ſtrolling vagabonds or beggars.

Plying as meſſenger or porter without licence puniſhed as vagabond or beggar.

XXXII. And be it further enacted by the authority aforeſaid, that each and every carriage and ſedan chair, for which a licence is by this act to be obtained, ſhall have a mark of diſtinction, expreſſing the number of ſuch carriage, affixed thereunto in whatever manner the ſaid governors, or eleven of them, or the ſaid court of aſſiſtants, or any five of them, ſhall think proper, ſo that ſuch mark of diſtinction on all hackney carriages or ſedan chairs for the public uſe ſhall be moſt conſpicuous, and that ſuch mark of diſtinction on all job or other carriages, or ſedan chairs, for the uſe of particular private perſons, ſhall be put on in a more private and leſs conſpicuous manner: and that every hackney coach, landau, poſt chaiſe, chariot, and berlin, or ſtage coach, for which a licence is by this act to be obtained, ſhall conſtantly and at all times beſides the mark or number aforeſaid have painted on the pannel of each door, and on the front and rere pannel, and every Ring's-end car, chair, chaiſe, or chaiſe marine, on the rere pannel where arms or cyphers are uſually painted, the chriſtain and ſirname of the real owner or keeper thereof at full length, together with the place of his abode, in plain, large, legible letters, and ſhall alſo on each of the ſide pannels, where creſts are uſually painted, have painted in plain legible figures the number contained in the mark aforeſaid. And that every perſon, who ſhall blot out, deface, change, or take off the ſaid mark of diſtinction or figure on the ſaid painting, or any of ſaid letters, names, or figures, or ſhall omit to

Number affixed,

moſt conſpicuous in thoſe for publick uſe,

real owner's name and abode painted at length,

affix ſuch mark, or to have the pannels painted in manner aforeſaid, or ſhall own, keep, or drive, or employ any carriage, chair, or chaiſe, or ſedan without ſuch mark, and without ſuch painting on the pannels, where the ſame is by this act required, ſhall be conſidered to all intents and purpoſes as having owned, kept, uſed, driven, or employed the ſame without a licence, and be ſubject to the ſeveral penalties, forfeitures, and puniſhments, hereby enacted for ſuch offences reſpectively.

otherwiſe conſidered as uſed without licence.

XXXIII. And be it further enacted by the authority aforeſaid, that each and every perſon, who is required by this act to obtain a licence for plying as a meſſenger or porter for hire, ſhall have a mark affixed to his upper garment over his breaſt made of braſs, and expreſſing in plain legible characters, the number of ſuch licence, formed and to be worn in ſuch manner as the ſaid governors, or any eleven or more of them, or the court of aſſiſtants, or any five of them, ſhall direct, and for failure thereof either in obliterating, covering, or defacing, or not at all times wearing and expoſing to view ſaid mark in manner aforeſaid ſhall be deemed as acting without a licence, and be ſubject to every pain and penalty inflicted by this act for ſuch offence,

Meſſengers or porters numbered.

XXXIV. And whereas perſons may obtain licences for keeping hackney coaches, landaus, chariots, poſt chaiſes, ſtage coaches, or other carriages, or ſedan chairs for hire in and about the city of Dublin, and the liberties thereunto adjoining, and may not put up hackney coaches, or other carriages, or ſedan chairs, conformable thereto, whereby the publick will be deprived of their uſe and convenience: for remedy whereof be it further enacted by the authority aforeſaid, that every perſon, who ſhall obtain or receive a licence for keeping a hackney coach, or other hackney carriage, or hackney ſedan chair, for publick uſe, and ſhall not within one month after obtaining or receiving ſuch licence keep and maintain ſuch carriage or ſedan chair in conſequence of ſuch licence for the uſe and convenience of the publick, and continue ſo to do during the continuance of his or her licence, and who ſhall thereof be convicted by the oath of one credible witneſs before the ſaid governors, or any eleven or more of them, or the ſaid court of aſſiſtants, or any five of them, which oath they are hereby empowered to adminiſter, ſhall forfeit the ſum of five pounds for every ſuch neglect, to be recovered by diſtreſs and ſale of the offenders goods by warrant under the hands and ſeals of the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them, and to be diſpoſed of in manner herein after directed.

Not maintaining publick carriage or ſedan in 1 month after licence, and during it penalty 5*l.*

XXXV. Pro-

XXXV. Provided always, that in caſe any perſons ſo offending ſhall ſurrender his licence to the ſaid governors, the ſaid fine or penalty ſhall not be levied.

Unleſs licence ſurrendered.

XXXVI. And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall have at any one time in his, her, or their name, or in the name of any other perſon in truſt for him, her, or them, more than two ſuch licenced hackney or job chairs, or ſedan; and in caſe the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five or more of them, ſhall be informed or have reaſon to ſuſpect, that any perſon or perſons have therein offended, it ſhall and may be lawful to and for the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them, to ſummon ſuch perſon or perſons to appear before them at the time and place in ſuch ſummons mentioned; and in caſe ſuch perſon or perſons after ſuch ſummons, ſo as the ſame be ſerved perſonally, or at his or her place of abode, twenty four hours before the time appointed for his or their appearance, ſhall neglect to appear without ſome reaſonable cauſe for ſo doing, or if after appearance it ſhall be found by the confeſſion of the party, or by the oath of one or more credible witneſs or witneſſes, or other due proof, that ſuch perſon or perſons have ſo offended contrary to this act (which oath the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them, have hereby power to adminiſter) every perſon or perſons ſo offending ſhall forfeit all the licences for chairs or ſedans granted to them by virtue of this act, or which he, ſhe, or they ſhall be intitled unto by deviſe, aſſignment, or otherwiſe; and ſuch licences are hereby declared to be null and void to all intents and purpoſes whatſoever.

None to have at one time above 2 ſuch licenced,

ſummoned on ſuſpicion,

on proof all licences forfeited.

XXXVII. And be it further enacted by the authority aforeſaid, for the recovery of the rent reſerved upon the ſaid ſeveral licences, that in caſe the ſame or any part thereof ſhall be behind and in arrear by the ſpace of twenty one days after any of the days appointed for the payment of the ſame, it ſhall and may be lawful to and for the ſaid governors, or any eleven or more, or the court of aſſiſtants, or any five of them, to raiſe and levy the ſame by diſtreſs and ſale of the goods and chattles of the owner, proprietor, or grantee, or aſſignee of ſuch licence, by warrant under their hands and ſeals; and in caſe the ſame ſhall be behind and unpaid by the ſpace of thirty one days after any of the days appointed for the payment of the ſame, that it ſhall and may be lawful to and for the ſaid governors, or any eleven or more, or the court of aſſiſtants, or any five of them, to commit the owner, proprietor,

Rent in arrear 21 days, levied by diſtreſs and ſale

if 31, impriſoned till paid and all coſts,

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prietor, grantee, or aſſignee to gaol, or any other place, there to be detained and confined until the ſame, and all coſts attending the non-payment thereof, be fully paid and ſatisfied; and in caſe the ſame ſhall be behind or unpaid for or by the ſpace of forty one days after any of the days appointed for the payment thereof, that then the ſaid licence or licences ſo granted ſhall be forfeited, and become null and void: and before a new licence or licences can or ſhall be granted to ſuch perſon or perſons ſo neglecting to pay the ſaid rent by the time or times aforeſaid, he, ſhe, or they ſhall pay not only all arrears of rent due at the time of forfeiting ſuch licence or licences, but ſhall alſo pay for ſuch new licence or licences one fourth more, than was paid for the licence or licences ſo forfeited as aforeſaid.

if 41, licence forfeited,

before new licence all arrears paid and one forth more than the former.

XXXVIII. Provided that nothing herein contained ſhall prevent the ſaid governors from proceeding againſt the owner or proprietors of any carriages forfeiting his licence for the recovery of all arrears of rent, by the remedies herein before mentioned, or otherwiſe: and that the ſaid governors may, if they think proper, refuſe to grant a new licence or licences to any perſon or perſons, who ſhall have forfeited any licence or licences granted by virtue of this act.

Arrears recovered againſt owner forfeiting,

and new licence may be refuſed.

XXXIX. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid governors, or any twenty one or more of them, in caſe they ſhall ſee occaſion, from time to time, and at any time after five years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, to alter and increaſe the fines to be paid, or the rents to be reſerved upon the licences to be thereafter granted, provided the ſame be not increaſed above one fourth part more than the fines and rents herein before particularly mentioned and expreſſed, and to make ſuch rules, orders, and regulations for that purpoſe, as to them ſhall ſeem meet, and to alter, vary, amend, or annull the ſame.

21 may increaſe fines or rents,

not above 1-4th,

make regulations, or annull.

XL. Provided nevertheleſs, that every ſuch alteration, variation, rule, order, regulation, amendment, or repeal, be approved of by the lord chancellor, or lords commiſſioners of the great ſeal, and the chief judges, or any three of them.

Approved by lord chancellor and chief judges.

XLI. And whereas all kinds of proviſions both for man and horſe, and the prices of carriages and manufactures, are of late years greatly encreaſed, and the rates of hackney coaches and ſedan chairs have not for theſe many years paſt been enlarged, ſo that it is highly reaſonable, juſt, and abſolutely neceſſary, in order the better to enable the owners of carriages to provide good carriages

Neceſſary to increaſe the fares,

carriages and horſes for the better accommodation of the publick at all times, and to pay the rents to be reſerved on their reſpective licences, that their fares and rates of hire ſhould be increaſed: and whereas it would ſerve to aſcertain more clearly the ſame, if the city of Dublin, and the ſuburbs and liberties thereof, were divided into different quarters or wards: be it further enacted by the authority aforeſaid, that the ſaid city and ſuburbs, and liberties thereof, be for the purpoſe of directing and aſcertaining the rates and fares to be taken by ſuch carriages, chairs, or ſedans, and for no other purpoſe whatſoever, divided in manner following, (that is to ſay) that ſo much thereof as is contained within the following bounds or circuit, drawn from the Old Bridge up Church-Street as far as Channell-Row, now called Brunſwick-Street, ſo weſterly round Stoney-Batter, Arbor-Hill, the Barracks, as far as the publick lamps go to the river Liffey, and along that river to the ſaid Old-Bridge aforeſaid, be one diviſion, and be called the Barrack Quarter; and that ſo much thereof as is contained within the following bounds or circuit, drawn from the Old-Bridge aforeſaid through Bridge-Street, New-Row, part of Thomas-Street, Francis-Street, through New-Row on the Poddle, through Mill-Street, and ſo round north-weſt, as far as the publick lamps go, to the river Liffey, and along that river to the Old-Bridge, be one other diviſion, and be called the Workhouſe Quarter. And that ſo much thereof as is contained within the following bounds or circuit, drawn from the river Liffey up Lower and Middle Liffey-Street through Denmark-Street, formerly called Upper Liffey-Street, into Great Britain-Street, through Rider's-Row to Dorſet-Street, taking in Henrietta-Street and along Dorſet-Street, and down eaſterly, as far as the publick lamps go, to the river Liffey, be one other diviſion, and be called the Rotunda Quarter. And that ſo much thereof as is contained within the following bounds or circuit, drawn from the river Liffey oppoſite Angleſea-Street through Angleſea-Street, acroſs College-Green, through Trinity-Lane, Hog-Hill, now called Saint Andrew's-Street, William-Street, adjoining Mercer's Hoſpital, through Love-Lane, now called Mercer's-Street, acroſs York-Street into Little Cuffe-Street, through part of Big Cuffe-Street into Kevan's-Port, and as far as the publick lamps go along Kevan's-Port, Miltown-Road, Northumberland-Street, and the farther end of Merrion-Square to the river Liffey, and along that river to Angleſea-Street, be one other diviſion, and be called Stephen's-Green Quarter. And that ſo much thereof as is contained within the following bounds, that is to ſay, the Workhouſe

to aſcertain the fares, and for no other purpoſe the city divided into wards,

the barrack quarter,

workhouſe quarter,

rotunda quarter,

Stephen's-green quarter,

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houſe Quarter on the weſt ſide the river Liffey the northward ſide Stephen's-Green Quarter on the eaſt ſide, and the extremities of the publick lamps on the ſouth ſide, be one other diviſion, and be called the Caſtle Quarter. And that ſo much thereof as is contained within the following bounds, that is to ſay, the Rotunda Quarter on the eaſt or north eaſt ſide, the Barrack Quarter on the weſt ſide, the river Liffey on the ſouth ſide, and the extremities of the publick lamps on the north and north weſt ſide, be one other diviſion, and be called the Middle Quarter. And that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, inſtead of the fares and rates now appointed to be taken, there may be demanded, and ſhall be paid, ſuch fares and rates for a ſetdown by any ſedan chair within the ſaid city, ſuburbs, and liberties, and for a ſetdown by any coach, landau, chariot, poſtchaiſe, berlin, Ring's-end car, chaiſe, or chaiſe marine, within the ſaid city, ſuburbs, or liberties, or within ſeven miles of the ſame, as ſhall be ſettled, ordained, and regulated by the ſaid governors, or any twenty one or more of them, which they are hereby impowered and required to do, ſettle, and regulate, as ſoon as they conveniently can after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy two; provided that ſuch rates ſhall not exceed one third more, than what is now allowed by law for a ſetdown from any place within any one quarter to any place within the ſame quarter by a ſedan chair at any time between the hours of ſix in the morning and twelve at night, the ſum of ſix pence halfpenny, and between the hours of twelve at night and ſix in the morning the ſum of thirteen pence; and by a hackney coach or landau, holding with convenience four perſons, at any time between the hours of ſix in the morning and twelve at night, the ſum of ten pence, and at any time between the hours of twelve at night and ſix in the morning the ſum of fifteen pence; and for a ſetdown from any place within any of the ſaid quarters to any other place, not within the ſame quarter, by ſuch ſedan chair, coach, or landau, any time between the hours of ſix in the morning and twelve at night, the ſum of thirteen pence, and at any time between the hours of twelve at night and ſix in the morning, the ſum of one ſhilling and ſix pence.

caſtle quarter,

middle quarter,

21 governors to ſettle fares and rates in Dublin or 7 miles,

not to exceed 1-3d more.

XLII. And be it further enacted by the authority aforeſaid, that every owner, keeper, or driver of any ſuch landau or coach, or coach holding with convenience four perſons, ſhall and may demand, and ſhall be paid for the hire of ſuch coach or landau, within the ſaid city or liberties, or within ſeven miles thereof, for

Fares of coaches holding 4 by the day or hour,

twelve hours, between ſix o'clock in the morning and twelve at night, the ſum of ten ſhillings; and by the hour eighteen pence for the firſt hour, and ten pence for every hour after; and eighteen pence for every hour between twelve at night and ſix in the morning; and that the owner, keepers, or carriers of every ſuch ſedan chair, ſhall and may demand, and ſhall be paid for the hire of ſuch chair, for twelve hours, between ſix in the morning and twelve at night, the ſum of four ſhillings and four pence; and by the hour thirteen pence for the firſt hour and nine pence for every hour after between the ſaid times; and eighteen pence for the firſt hour and thirteen pence for every hour after between twelve o'clock at night and ſix in the morning; and that for every chariot, poſtchaiſe, or berlin, not holding with convenience four perſons, only three fourths of the rates and fares above enacted for coaches and landaus ſhall or may be demanded or taken; that it ſhall and may be lawful to and for the ſaid governors, or any twenty or more of them, to ſettle, regulate, and ordain the ſeveral fares to be demanded or taken, and weights to be carried by every car, cart, dray, or other carriage carrying for hire any load taken up within the ſaid city, ſuburbs, or liberties, to any place within the ſame, or within four miles thereof, and that the owners, keepers, or drivers of every Ring's-end car, chair, or chaiſe marine, ſhall or may demand, and ſhall be paid for his hire for twelve hours between ſix in the morning and twelve at night the ſum of four ſhillings and four pence; and by the hour ten pence for the firſt hour, and five pence for every hour after.

for ſedans,

chariots, &c. only three fourths,

carts, drays, &c.

Ring's-end cars, &c.

XLIII. Provided always, that every rule, order, regulation, or byelaw, ſo to be made by the ſaid governors or any twenty one of them for the ſettling, ordaining, or regulating the ſaid rates or fares, be firſt approved of by the lord chancellor, or lords commiſſioners of the great ſeal, and the chief judges, or any three of them; and that the ſaid governors, or any twenty one or more, ſhall have full power and authority from time to time, and at all times for ever from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty two, to alter, vary, encreaſe, or raiſe, the ſeveral fares and rates herein before enacted, or to be by them from time to time ſettled, ſo as that every ſuch alteration be firſt approved of in manner aforeſaid, before it can be valid or take place.

Regulations approved by lord chancellor and chief judges,

21 governors after 24th June 1782 may vary,

ſo approved,

XLIV. And be it further enacted by the authority aforeſaid, that every lowback car, or other carriage drawn by one horſe or other beaſt, and that ſhall carry for hire any perſon or perſons within the ſaid city, ſuburbs, and liberties, or within ſeven

Cars carrying perſons licenced, and conſidered as Ring's-end cars,

ſeven miles thereof, ſhall take out the ſame licence with and be conſidered to all intents and purpoſes as a Ring's-end car, chaiſe, or chaiſe marine, and the owner, driver, or keeper thereof be conſidered to all intents and purpoſes as the owner, driver, or keeper of a Ring's-end car, chaiſe, or chaiſe marine, and be ſubject to every order, proviſo, regulation, penalty and forfeiture, enacted, ordained, or eſtabliſhed by this preſent act, or to be enacted, ordained, or eſtabliſhed by virtue thereof, in reſpect of any Ring's-end car, chaiſe, or chaiſe marine, and the owner, driver, or keeper thereof, except as to what regard the name and abode of the owner, and the number of his mark being painted thereon: and if the owner, keeper, driver, or carriers of any of the ſaid carriages or ſedan chair, ſhall exact more for his hire than the ſeveral rates hereby limited, or hereafter to be limited by virtue of this act, or leave his or their fare without permiſſion, the owner or proprietor of any ſuch carriage or ſedan, or the grantee or aſſignee of the licence obtained for the ſame, ſhall for every ſuch offence forfeit a ſum not leſs than twenty ſhillings, and not exceeding forty ſhillings, to be recovered before the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them, on proof thereof upon the oath of any one credible witneſs, and to be levied, in caſe the ſame be not inſtantly paid, by diſtreſs and ſale of the goods and chattles of the proprietor or owner of every ſuch carriage by warrant under the hands and ſeals of the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them, together with one ſhilling in the pound to the perſon levying the ſame for his trouble, and to be diſpoſed of in manner herein after directed; and the driver or carrier of any ſuch carriage or ſedan, not being the owner thereof, who ſhall exact or demand more than the rates herein mentioned, or leave his fare without permiſſion, ſhall for every ſuch offence forfeit the ſum of ten ſhillings; to be levied as aforeſaid, and for the uſe herein after mentioned, or be publickly whipped through the ſtreets, at the diſcretion of the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them.

exacting more, or leaving fare, not under 2os. nor above 4os. penalty,

penalty on driver, &c. not owner 1os. or whipt.

XLV. And be it further enacted by the authority aforeſaid, that for the better regulating and preſerving decency and order amongſt the owners, drivers, keepers, and carriers of any of the ſaid carriages, ſedan, and other perſons ſo to be licenſed as aforeſaid, and for preventing diſturbances, ſtoppages, and other inconveniencies in the ſtreets and places where ſuch carriages and ſedans ſhall ſtand, be driven, or carried, and for puniſhing the

owners,

owners, keepers, driver, or carrier of any ſuch carriage or ſedan for publick uſe, who ſhall refuſe to go for hire, when not actually employed and paid for waiting, and for puniſhing any rudeneſs, inſult, or miſbehaviour in every ſuch coachman, chairman, driver, or carrier, it ſhall and may be lawful to and for the ſaid governors, eleven at leaſt being preſent, to make ſuch rules, orders, and byelaws to bind all and every the perſons, who ſhall own, keep, drive, or carry any ſuch of the carriages and ſedans ſo to be licenſed as aforeſaid, or who ſhall obtain any licence under this act, and annex ſuch reaſonable penalties and forfeitures, not exceeding forty ſhillings, for the breach of any one ſuch byelaw, or to make void and ſuſpend the licence or licences of every offender, or to ſubject the driver or carrier to corporal puniſhment by ſending them to the houſe of correction, there to be whipped and kept to hard labour for any time not leſs than three days, and not exceeding ten days, or by cauſing to be publickly whipt through the ſtreets of the city of Dublin, ſo as ſuch rules, orders, regulations, and byelaws be approved of by the lord chancellor, or lords commiſſioners of the great ſeal, and the three chief judges for the time being, or any three of them, and after ſuch approbation ſhall be printed and poſted up on the Tholſel of the city of Dublin, and the foundling hoſpital and work-houſe, and ſuch other places as the ſaid governors ſhall appoint; and the ſaid court of aſſiſtants, or any five of them, ſhall and hereby have full power and authority to enquire into the breach of every rule or byelaw, order, or regulation, ſo made and approved, and to correct the ſame by ſuch ways and methods, as they ſhall think proper, if the ſame be not particularly pointed out by this act, or by the ſaid rules and byelaws.

11 governors may make orders binding on owners and drivers with penalties not above 40s.

ſuſpend licence,

commit not under 3 nor above 10 days, or whipped publickly,

orders approved by lord chancellor and judges,

printed and poſted,

aſſiſtants to enquire and correct, where not otherwiſe directed.

XLVI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall refuſe or neglect to pay any owner, keeper, driver, or carrier of any ſuch licenced carriage or ſedan his juſt and lawful hire, or ſhall wilfully cut, deface, or break any ſuch carriage or ſedan ſo licenced, it ſhall and may be lawful to and for the ſaid court of aſſiſtants, or any five or more of them, upon complaint thereof to grant a ſummons, requiring ſuch perſons to appear before them at a certain time and place to anſwer ſuch complaint, and upon proof being made of the perſonal ſervice of ſuch ſummons at leaſt twenty four hours before the time appointed for appearance, then to hear, conſider, and examine into the matter of the ſaid complaint, and to award reaſonable ſatisfaction to the party grieved for his damage and coſts, and upon refuſal to pay or make ſuch ſatisfaction to grant a warrant

Not paying hire, defacing or breaking licenced carriage, on 24 hours ſummons by five aſſiſtants ſatisfaction awarded,

on non-payment levied by diſtreſs and ſale,

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rant under their hands and ſeals for levying the ſame by diſtreſs and immediate ſale of the goods and chattles of the party, againſt whom ſuch complaint ſhall be made.

Former licences not expired good for the term contained.

XLVII. And whereas a number of hackney coaches, chaiſes, drays, carts, and cars have been licenced under one or more of the acts of parliament hereby to be repealed, and the owners of the ſaid carts and cars did duly pay the fines on being licenced, but the poverty of the owners of kackney coaches, and hackney chaiſes, obliged the governors of the ſaid work-houſe to take bonds for the fines payable on a certain day from the perſon or perſons applying for the licence of ſuch coaches and chaiſes, leaſt the publick might be deprived of the convenience of ſuch carriages: and whereas the obliging ſuch perſons to take out new licences, and pay new fines in conſequence of this act, would be unjuſt: therefore be it further enacted by the authority aforeſaid, that each and every licence, which has been ſo granted, and is not yet expired, ſhall be deemed as good and effectual for the term in ſaid licence contained, as if the ſaid acts were to continue in full force.

But ſubject to like regulations,

XLVIII. Provided nevertheleſs, that every ſuch licence, and perſons who poſſeſs or ſhall poſſeſs the ſame, ſhall be ſubject to all and every the rules, orders, regulations, penalties, proviſoes, remedies, and conditions in this act contained for or reſpecting any licence or licences to be granted by virtue of this act; and alſo that the fines have *bona fide* been paid, or the bonds for the ſame have been or ſhall be diſcharged on the days, on which the ſame are payable, and that every covenant and agreement in the ſaid licences contained has been fully performed and kept, but if the ſaid bonds have not been or ſhall not be diſcharged on the days, on which the ſame were or are made payable, or that the ſaid covenants and agreements have not been or ſhall not be performed, then the ſaid licence or licences ſhall be forfeited, and the ſaid governors ſhall ſue for, and they are hereby enabled to recover, the ſeveral ſums, for which theſe bonds were given, with all coſts and charges, and alſo to ſue for and recover all arrears of rent due for ſuch licences; and if any licence or licences ſhall be granted to ſuch perſons, they muſt pay for the ſame ſuch additional fine or fines as by this act is or are directed to be paid in caſe of a new licence after forfeiture of the old one.

fines paid,

bonds diſcharged,

covenants performed,

or licence forfeited,

ſued on the bonds,

and for arrears,

and fines as for new licence.

Licences by transfer, &c. requiſites performed, not

XLIX. Provided alſo, that any perſon, who has received any ſuch licence by transfer, alienation, or deviſe, and who has performed all the requiſites, by the ſaid acts or any of them made

neceſſary for the confirmation of ſuch transfer, alienation, or deviſe, and ſhall enter the ſame with the regiſter before the fourteenth day of July one thouſand ſeven hundred and ſeventy two in manner preſcribed by this act, and ſhall fulfil all and every the rules, orders, and regulations herein contained, ſhall not be ſubject to penalties or forfeitures preſcribed by this act to be inflicted on perſons receiving ſuch licence without conſent of the governors herein appointed, or neglecting to enter the ſame within a certain time.

ſubject to penalties.

L. And be it further enacted by the authority aforeſaid, that for the better ſupport of the ſaid foundling hoſpital and work-houſe, and for the maintenance and education of all the children which have been or ſhall be received therein, there ſhall be charged upon and paid unto the ſaid governors and their ſucceſſors from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy two for ever thereafter for all and every the houſes within the ſeveral pariſhes within the ſaid city of Dublin, and the liberties of Saint Sepulchres, Thomas-Court and Donore, and the liberties of Chriſt Church and Saint Patrick's thereto adjoining, and within the ſuburbs of ſaid city, whether in ſaid county or city, in all ſuch places *extra parochial* within the ſaid county and liberties, the ſum of ſix pence in the pound yearly and every year for every pound of the yearly rent of every ſuch houſe or houſes, as the valuations are returned for the collection of miniſters money in the city, ſuburbs, and liberties aforeſaid; and where no ſuch valuations are or ſhall be returned for the collection of miniſters money, or ſuch houſe or houſes is or ſhall be built in a place *extra parochial*, the ſum of ſix pence in the pound yearly according to the rent payable by the tenants in poſſeſſion; and in caſe ſuch rent be only a ground rent, then according to the rent ſuch houſe might be ſet for to a ſolvent tenant; which ſaid ſum of ſix pence in the pound ſhall from and after the twenty-fourth day of June one thouſand ſeven hundred and ſeventy two be veſted in the ſaid governors of the foundling hoſpital and work-houſe hereby appointed, and their ſucceſſors for ever, and ſhall be a charge on the inhabitant or inhabitants of every ſuch houſe or houſes, and payable the twenty fourth day of June in every year, for the uſe of the ſaid houſe, and the maintenance, education, and ſupport of the children, which are or may be received therein, or ſent to nurſe therefrom.

6d. per pound of yearly rent of houſes, as returned for miniſter's money, charged on every houſe,

where not ſo valued, or *extra parochial* as the rents payable by tenants in poſſeſſion, if only ground rent, as it might be ſet to ſolvent tenant, *by* 15 *and* 16 *G.* 3. *c.* 25. *ſ.* 8, *by pariſh ceſs*,

veſted in governors,

charged on inhabitants,

payable every 24th June,

for the houſe and children.

LI. And for the better aſcertaining the rents of ſuch houſes, where no valuations are or ſhall be made or returned for the collection of miniſters money, be it further enacted by the authority aforeſaid,

Where no valuation for miniſter's money, tenants in poſ-

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aforeſaid, that where the ſaid taxes are to be charged according to the rent payable by the tenant in poſſeſſion, it ſhall and may be lawful, in order juſtly to aſcertain the ſame, to and for the ſaid governors, eleven at leaſt being preſent, to ſummon ſuch tenant to appear before them, and to produce the leaſe, minute, or agreement, by virtue whereof he holds ſuch houſe; and in caſe ſuch tenant ſhall neglect or refuſe ſo to do by the ſpace of twenty one days next after being duly ſerved with ſuch ſummons, and in all caſes where the rent payable by the tenant in poſſeſſion is only a ground rent, that then and in ſuch caſes it ſhall and may be lawful to and for the ſaid governors, eleven at leaſt being preſent, to nominate and appoint any four perſons, they ſhall think fit, to make and aſcertain a valuation of the rent, which ſuch houſe is worth, if to be ſet to a ſolvent tenant; which valuation, when made by the ſaid four perſons, ſhall be returned by them to the ſaid governors with an affidavit thereto annexed by them, made before one of his Majeſty's juſtices of the peace for the county of the city of Dublin or county of Dublin (which oath ſuch juſtice of the peace is hereby impowered to adminiſter) purporting that ſuch valuation was made by them according to the beſt of their ſkill and knowledge, and without partiality or favour to any perſon or perſons concerned or intereſted in ſuch valuation; which valuation, being ſo made and returned, ſhall for the purpoſe of this act only and for no other purpoſe, be deemed evidence of the rent, ſuch houſe might be ſet for to a ſolvent tenant: and that there may be charged yearly, and every year for ever thereafter upon and paid to the ſaid governors, and their ſucceſſors, for all and every the houſes aforeſaid, wherein there ſhall be ſold by retail any brandy, ale, beer, ſtrong waters, or ſpirituous liquors, an additional ſum of ſix pence in the pound according to the ſaid proportion, which ſaid ſum ſhall be alſo veſted in the ſaid governors and their ſucceſſors for ever, and ſhall be a charge on the ſaid houſes, and on the inhabitant or inhabitants of every ſuch houſe or houſes, and payable for the purpoſes aforeſaid; and that no money ſhall thereafter be levied by veſtry for the maintenance of foundlings in the city of Dublin and liberties adjoining, any law, uſage, or cuſtom to the contrary notwithſtanding.

ſeſſion ſummoned to appear and produce leaſe or agreement,

where neglect 21 days, or only ground rent, valued by four as if ſet to ſolvent tenant,

returned with affidavit,

evidence of the rent for this purpoſe only,

where beer, ſpirits, &c. retailed, additional 6d. per pound by ſaid proportion,

no levy by veſtry in Dublin for foundlings.

LII. And whereas the buildings and the number of houſes in the environs of the ſaid city of Dublin, and the ſaid liberties thereunto adjoining, have greatly encreaſed of late, whereby the governors of the ſaid foundling hoſpital and work-houſe are neceſſarily put to a conſiderable additional expence in ſupporting the foundlings, and maintaining the poor children received there,

and

and it is very juſt and reaſonable, that the inhabitants in the houſes of the environs of the ſaid city of Dublin, and the ſuburbs and liberties thereto adjoining, whether in the county or city of Dublin, ſhould contribute to the ſupport of the ſaid foundling hoſpital and work-houſe: be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two all ſuch houſes, not within the particular deſcription hereinbefore mentioned and expreſſed, nor comprehended therein, as are or ſhall be built within the diſtance of two miles of the caſtle of the city of Dublin, to be computed from the ſaid caſtle at the rate of two thouſand two hundred and forty yards to the mile, ſhall and may be valued by ſuch methods, and in ſuch manner, as is hereby preſcribed and directed in relation to the houſes in the ſaid city, ſuburbs, and liberties, where no ſuch valuation has been returned for the collection of the miniſters money; and the inhabitants of all ſuch houſes, as are or ſhall be ſo built within the ſaid diſtance of two miles from ſaid caſtle as aforeſaid, ſhall for ever thereafter be charged with and pay yearly and every year the ſum of ſix pence in the pound of the yearly value of the rents of every ſuch houſe, as the ſame ſhall be returned upon ſuch valuation as aforeſaid; which ſaid ſix pence in the pound ſhall be raiſed, levied, and collected in like manner, and by the ſame methods, as the ſaid charge and taxes on the houſes in the ſaid city of Dublin and the liberties thereto adjoining are by this act to be raiſed, levied, and collected, and paid to the ſaid governors and their ſucceſſors for the uſes aforeſaid.

Houſes within 2 miles of the caſtle at 2240 yards per mile valued as where no return for miniſter's money.

and the 6d in per £. charged on inhabitants.

LIII. Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, to induce any charge on his Majeſty's caſtle of Dublin, or any of his Majeſty's houſes, or the barracks, the royal hoſpital, Trinity College, or any hoſpital or alms houſe.

Houſes excepted.

LIV. And for the collection of the ſaid tax and charge on the ſaid houſes and inhabitants thereof be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid governors, or any eleven of them, and they are hereby authorized and impowered, to conſtitute and appoint ſuch and ſo many perſons, and with ſuch ſalaries and allowances, not exceeding ſix pence for every twenty ſhillings received by them, or any of them, as they ſhall judge neceſſary, to collect and receive for the uſe and benefit of the ſaid foundling hoſpital and work-houſe from the inhabitant or inhabitants of each and every houſe in the ſeveral pariſhes of the ſaid city of Dublin, and within the ſaid ſuburbs,

Collectors appointed at 6d. per £.

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liberties of ſaint Sepulchres, Thomas Court, and Donore, and of Chriſt Church, and ſaint Patrick's thereto adjoining, and within two miles of the caſtle of the city of Dublin, the ſaid ſix pence in the pound, according to the reſpective valuations herein before mentioned, and from the inhabitant or inhabitants of each and every ſuch houſe, in which there ſhall be ſold by retail any brandy, ale, beer, ſtrong waters, or ſpirituous liquors, the ſaid additional ſix pence in the pound; which charges in caſes of non-payment ſhall be raiſed and levied by the ſaid collectors by diſtreſs and ſale of the goods of the inhabitant or inhabitants, who ſhall at the time of ſuch diſtreſs be in or occupy ſuch houſe, and ſhall be by them reſpectively paid to the governors; and the ſaid governors are hereby required to take good ſecurity by bond from each collector, ſo to be appointed, for the faithful diſcharge of his office in a ſum not leſs than the amount of the ſum, the ſaid collectors ſhall be appointed to collect.

levied by diſtreſs and ſale,

paid to governors, bonds by collectors.

No charge for above 3 years arrear.

LV. Provided always, that no houſe or houſes ſhall be charged or chargeable for, nor any diſtreſs or ſale taken for, more than three years arrear at any one time.

In ſuits miniſter's money paid 3 years before, evidence of the valuation,

LVI. And be it further enacted by the authority aforeſaid, that in all ſuits, actions, and avowries, to be made or proſecuted for or on account of any of the ſaid taxes or charges on houſes by the ſaid governors, or any perſon by them authorized to collect ſame, and in all actions or ſuits to be proſecuted by any perſon or perſons whatſoever againſt the ſaid governors, or the perſon or perſons by them authorized to collect the ſaid taxes, in relation to collecting the ſame, the proving the miniſter's money, which has been uſually paid annually for ſuch houſe for the ſpace of three years next before ſuch ſuit, action, or avowry commenced, ſhall be ſufficient evidences for all the purpoſes of this act of the valuation of the miniſter's money on ſuch houſe or houſes.

Taxes veſted in governors for uſes of the act,

LVII. And be it further enacted by the authority aforeſaid, that all and ſingular the rates, taxes, and impoſitions by this act created ſhall be veſted in the ſaid governors of the foundling hoſpital and work-houſe, to be by them applied to the ſupport of the ſaid houſe, and the education and maintenance of the children now in the ſaid houſe, or ſent to nurſe therefrom, and which may hereafter be received therein, or ſent to nurſe therefrom, and to ſuch other uſes of the ſaid houſe and hoſpital, as are directed by this act: and that it ſhall and may be lawful for the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five or more of them, and they are hereby authorized, to chooſe and entertain all ſuch maſters or miſtreſſes, as ſhall be

11 governors or 5 aſſiſtants to chuſe neceſſary maſters or miſtreſſes,

neceſſary

neceſſary to be employed in the ſaid houſe for the inſtruction of the children therein, and keeping them at work, and them, or any of them, from time to time to remove, as they ſhall ſee cauſe; and upon the death or removal of any of them to chooſe others in their place, and to make and give ſuch reaſonable allowance to them, or any of them, out of the revenue hereby granted for the uſe of ſaid houſe, as they ſhall think fit: and in caſe there ſhall at any time be a deficiency in the ſaid revenue, ſo as that the ſame ſhall not be ſufficient to anſwer the neceſſary expences of the ſaid houſe, that it ſhall be lawful for the ſaid governors, or any twenty one or more of them, to borrow or raiſe by demiſe or mortgage of any lands, tenements, and hereditaments, and taxes, veſted in or belonging to the ſaid corporation, any ſum or ſums of money, not exceeding in the whole the ſum of four thouſand pounds, as to them ſhall ſeem meet; which ſum or ſums, when ſo raiſed, ſhall be applied by the ſaid governors to pay off and diſcharge any debts, which may be neceſſarily and *bona fide* contracted for the uſe of the ſaid houſe.

remove and appoint others, with reaſonable allowance,

if revenue deficient, 21 may by demiſe or mortgage raiſe not above 4000l.

for neceſſary debts.

LVIII. And be it further enacted by the authority aforeſaid, that whenever the number of children ſhall occaſion expences exceeding the duties granted by this act, that in every ſuch caſe the ſaid governors ſhall cauſe an advertiſement thereof to be inſerted in the Dublin Gazette; and that in a week after ſuch inſertion no child ſhall be received, 'till ſuch time as an advertiſement ſhall be publiſhed to the contrary.

When expences exceed duties, on advertiſement no child received.

LIX. And be it further enacted by the authority aforeſaid, that the ſaid governors, or any eleven of them, ſhall and may, if they ſhall think it proper, or from peculiar circumſtances find it neceſſary, compound with any perſon or perſons for any arrears of rent due by them for carriages or ſedans, which have been or ſhall be incurred before the twenty fourth of June one thouſand ſeven hundred and ſeventy two.

Compoſition for arrears before 1772.

LX. And be it further enacted by the authority aforeſaid, that the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them, ſhall have full power and authority at all times to ſummon, call before them, and examine upon oath, all ſuch owners and drivers of hackney coaches and chaiſes, and all owners and drivers of all chairs, drays, carts, and other carriages, as alſo all owners or carriers of ſedan chairs, which ply for hire, as they ſhall think proper, touching any matter or thing in this act contained, or wherein they have power by this act to examine and enquire; and in caſe any perſon, who ſhall be perſonally ſummoned to appear before them, provided ſuch

11 governors or 5 aſſiſtants may ſummon and examine owners or drivers on oath,

5l. not appearing on perſonal ſummons 24 hours, left at abode 4 days,

ſuch ſummons be ſerved twenty four hours before the time required for his or her appearance, ſhall neglect to appear, or in caſe a ſummons in writing ſhall be left at his or her uſual place of abode, and he or ſhe ſhall neglect to appear on the day appointed in ſaid ſummons, (provided ſuch ſummons ſhall have been ſo left four days before ſaid day) then that every perſon ſo neglecting to appear ſhall forfeit the ſum of five pounds, and a new ſummons ſhall and may be ſerved, and ſo *toties quoties*, as he ſhall neglect to appear, and for each and every neglect he or ſhe ſhall forfeit the ſum of five pounds, to be recovered by diſtreſs and ſale of his or her goods by warrant under the hand and ſeal of the ſaid governors, or any eleven of them, or the ſaid court of aſſiſtants, or any five of them: and in caſe any ſuch perſon as aforeſaid appearing before the ſaid governors, or eleven of them, or the court of aſſiſtants, or any five of them, ſhall withhold or refuſe to give his or her teſtimony, or ſhall upon examination prevaricate, or treat with contempt, inſolence, or abuſe, the ſaid governors or aſſiſtants, or any of them, that it ſhall and may be lawful to and for the ſaid governors, or any eleven of them, or the court of aſſiſtants, or any five of them, to impoſe a fine not exceeding forty ſhillings on ſuch offenders, or by warrant under their hands and ſeals to commit every ſuch perſon ſo offending to bridewell, or ſuch other place as they ſhall think proper, there to be confined and kept to hard labour for any time not exceeding three months.

new ſummons *toties*,

not teſtifying, or prevaricating, or inſolence, &c. fine not above 40s. or committed not above three months.

LXI. And be it further enacted by the authority aforeſaid, that in all caſes, wherein pecuniary penalties or forfeitures are inflicted by this act, the ſaid penalties may and ſhall be recovered by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal of the perſon or perſons inflicting ſuch penalty; and that in all caſes where the penalty ſhall be ſo recovered, it ſhall and may be lawful to and for the perſon or perſons, who ſhall execute the ſaid diſtreſs and ſale, to deduct thereout over and above the ſaid penalty, and the coſts attending the ſame, the ſum of one ſhilling in the pound for his or their trouble, and that the overplus, if any after ſuch deduction, ſhall be reſtored to the owner; and that in all caſes where miles are expreſſed in the act, the computation is to be made at the rate of two thouſand two hundred and forty yards to a mile.

All pecuniary forfeitures by diſtreſs and ſale on warrant,

1s. per pound for the trouble,

miles at 2240 yards.

LXII. And be it further enacted by the authority aforeſaid, that in all pecuniary penalties and forfeitures inflicted by this act, the diſpoſal whereof is not by this act particularly directed, one moiety thereof ſhall be paid to the informer, and the other moiety

Penalties not directed to treaſurer and informer, where any,

to

to the treaſurer of the ſaid houſe for the uſe thereof, in all caſes where there ſhall be an informer, and that where there ſhall not be any informer, then the whole of ſuch penalty ſhall be paid to the ſaid treaſurer for the uſe aforeſaid.

False ſwearing puniſhed as perjury.

LXIII. And be it further enacted by the authority aforeſaid, that if any perſon, who ſhall take any oath, or if a quaker, make any affirmation, in conſequence of or by virtue of this act, ſhall forſwear himſelf or herſelf, or ſhall be guilty of wilful and corrupt perjury, or falſe affirmation, and ſhall thereof be convicted by due courſe of law, he, ſhe, or they ſhall incur and ſuffer the pains and penalties, which by law are enacted againſt perſons guilty of wilful and corrupt perjury.

Affirmation for oath.

LXIV. Provided always, that in all caſes where an oath is required or impowered to be adminiſtered by this act, an affirmation ſhall be ſubſtituted in the room thereof, if the perſon, to whom it is to be tendered be a quaker.

Defendants may plead general iſſue, &c.

LXV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done or executed in purſuance of this act, he or they may plead the general iſſue, and give this act and the ſpecial matter in evidence; and if upon a trial a verdict ſhall paſs for the defendant or defendants, or judgment ſhall be given againſt the plantiff or plantiffs upon demurrer, or the plaintiff or plaintiffs ſhall be nonſuited, diſcontinue, or forbear proſecuting their ſaid actions, then ſuch defendant or defendants ſhall have double coſts to him awarded againſt ſuch plaintiff or plaintiffs, for which coſts he ſhall have ſuch remedy as in other caſes, where coſts are by law given to defendants.

and have double coſts.

Orders under ſaid acts, not incompatible or in ſubſtance repealed, valid,

LXVI. And whereas many good and ſalutary byelaws, orders, and regulations have been made by the governors of the corporation hereby to be diſſolved, which are now ſubſiſting and in force, be it further enacted by the authority aforeſaid, that every rule, order, regulation, and byelaw made by the ſaid governors by virtue of any of the acts hereby repealed, and which ſhall be ſubſiſting and in full force on the twenty third day of June one thouſand ſeven hundred and ſeventy two, and which ſhall not be incompatible with, or be in ſubſtance repealed and annulled by, any of the proviſions, regulations, or clauſes in this act contained, ſhall from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy two be good and valid to all intents and purpoſes, as if the ſaid acts, or any of them, had not been repealed, ſubject nevertheleſs to be amended, altered, or made null and void by the governors hereby created, or any twenty one or more.

ſubject to alteration by 21 governors.

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LXVII. Provided always, and be it enacted by the authority aforeſaid, that no governor, or any perſon any way intruſted in the management or ordering of the ſaid hoſpital, ſhall be contracted with or otherwiſe employed to ſupply the foundling hoſpital or work-houſe with any neceſſary or material whatſoever; and in caſe any governor ſhall be convicted thereof before any two juſtices of the peace of the ſaid county or city of Dublin upon oath of one or more witneſſes, or on confeſſion of the party, ſuch governor's place is hereby declared vacant, as if dead, and a new governor ſhall be elected in his place and ſtead, and ſuch perſon ſhall for ever be incapable of being a governor of ſaid houſe.

No governor or manager ſhall contract to ſupply any neceſſary, or incapable, vacated, a new one elected.

LXVIII. And whereas in any of the laws for the better regulation of the corporation of the city of Dublin there is not any proviſion made for conſtituting a *locum tenens*, or perſon to officiate in the caſe of the death or during the indiſpoſition or neceſſary abſence of the lord mayor of the ſaid city for the time being, or any proviſion made for the conſtituting an officer to officiate in the place of the preſident of the court of conſcience in the ſaid city during the neceſſary abſence or illneſs of ſuch preſident, whereby great interruption has been given to the publick buſineſs in ſaid city, and an inconvenience ſenſibly experienced by the citizens in general: for remedy whereof be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the lord mayor of the ſaid city for the time being by warrant under his hand and ſeal to appoint any one of the aldermen of the ſaid city to officiate as a *locum tenens* in the place of ſaid lord mayor during his illneſs or neceſſary abſence, and that it ſhall and may be lawful for the perſon ſo appointed *locum tenens* to exerciſe every power, which the ſaid lord mayor for the time being has or may have by charter, uſage, or any of the laws in being, during the time of the illneſs or neceſſary abſence of ſaid lord mayor.

Mayor by warrant may appoint any alderman *locum tenens* during illneſs or neceſſary abſence.

LXIX. And be it further enacted by the authority aforeſaid, that if the lord mayor of the ſaid city ſhall happen to die during his mayoralty, it ſhall and may be lawful for the aldermen of ſaid city, or uſual quorum of them, to aſſemble together at the tholſel of the ſaid city, within two days after the death of ſaid lord mayor, and to elect one of the aldermen of ſaid city as a *locum tenens* in the place of the ſaid lord mayor, who ſhall happen to die as aforeſaid; which perſon ſo elected a *locum tenens* ſhall have all the powers before veſted in the ſaid lord mayor, and ſhall be capable of preſiding at, and iſſuing ſummonſes to the ſeveral members of the ſaid corporation for an election of a lord mayor in the place of the lord mayor, who ſhall happen to die as aforeſaid; and

Or the quorum may in two days after mayor's death, at the Tholſel, appoint one with all powers to preſide and ſummon for election of another.

and ſuch election, where he ſhall preſide, ſhall be conſidered as valid to all intents and purpoſes, as if made by the lord mayor and aldermen according to the forms, heretofore preſcribed by law to be obſerved at the uſual time of electing a lord mayor. A. D. 1771-2.

Such election in 14 days after mayor's death or his power determined, and aldermen and commons may elect, and ſummon in town clerk's name.

LXX. Provided always, that the ſaid perſon, ſo elected a *locum tenens* upon the death of a lord mayor, ſhall proceed to an election of a lord mayor in the place of the ſaid lord mayor, who ſhall happen to die as aforeſaid, within fourteen days after the death of ſaid lord mayor; and in failure of the ſaid perſon ſo elected a *locum tenens* proceeding to an election within the time aforeſaid, that his power and authority ſhall immediately ceaſe and determine, and it ſhall and may be lawful for the aldermen and commons to elect a lord mayor without his preſence or concurrence, and to iſſue ſummonſes in the name of the town clerk or town clerks for the purpoſe of holding ſuch election.

Preſident of court of conſcience may by warrant appoint any alderman during illneſs or neceſſary abſence.

LXXI. And be it further enacted by the authority aforeſaid, it ſhall and may be lawful for the preſident of the court of conſcience for the time being by warrant under his hand and ſeal to appoint any one of the aldermen to officiate in his place during the illneſs or neceſſary abſence of ſaid preſident; and that it ſhall and may be lawful for the perſon ſo appointed to exerciſe every power, which the ſaid preſident of the court of conſcience for the time being has or may have by charter, uſage, or any of the laws in being, during the illneſs or neceſſary abſence of ſaid preſident.

A public act.

LXXII. And be it enacted by the authority aforeſaid, that this act, and all and every the clauſe and clauſes therein contained, and every part thereof, ſhall be deemed and taken notice of in all courts of law and equity in this kingdom, and deemed a publick act.

CHAP. XII.

An act for the further preventing delays of juſtice by reaſon of privilege of parliament.

WHEREAS the ſeveral laws, heretofore made for reſtraining the privilege of parliament with reſpect to actions or ſuits commenced and proſecuted at any time from and immediately after the diſſolution or prorogation of any parliament, until a new parliament ſhould meet, or the ſame be reaſſembled; and from and immediately after an adjournment of both houſes of parliament for above the ſpace of fourteen days until both houſes

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ſhould meet or reaſſemble, are inſufficient: to obviate the inconveniencies ariſing from the delay of ſuits by reaſon of privilege of parliament, whereby the parties often loſe the benefit of ſeveral terms, be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of June, one thouſand ſeven hundred and ſeventy two, any action or ſuit between party and party may be commenced and proſecuted in any court of record, or court of equity, or of admiralty, and in all cauſes matrimonial and teſtamentory, in any court having cognizance of cauſes matrimonial and teſtamentory, againſt any peer or lord of parliament of Ireland, or againſt any of the knights, citizens, and burgeſſes of the houſe of commons of Ireland for the time being, or againſt their or any of their ſervants, or any other perſon entitled to the privilege of parliament, and no ſuch action, ſuit, or any other proceſs or proceeding thereupon ſhall at any time be impeached, ſtayed, or delayed by or under colour or pretence of any privilege of parliament.

Action, ſuit, or proceſs not impeached or delayed by privilege of parliament.

II. Provided nevertheleſs, and be it further enacted by the authority aforeſaid, that nothing in this act ſhall extend, or be conſtrued to extend, to infringe upon the undoubted inherent privileges of peerage, nor to ſubject the perſon of any of the knights, citizens, and burgeſſes of the houſe of commons of Ireland for the time being to be arreſted or impriſoned upon any ſuch ſuit or proceeding.

Inherent privileges of peers not infringed,

commons perſons not arreſted.

III. Provided nevertheleſs, and be it enacted by the authority aforeſaid, that this act ſhall continue in force until the twenty fourth day of June, one thouſand ſeven hundred and ſeventy eight, and to the end of the then next ſeſſion of parliament, and no longer.

Continued to 24th June 1778, &c. *and* 10 *years by* 15 *and* 16 *G.* 3. *c.* 30.

CHAP.

A. D. 1771-2.

CHAP. XIII.

An act for the better paving, cleanſing, lighting, altering, and improving the new ſtreet, called Sackville-ſtreet and the Mall, in the city of Dublin, and the lanes and avenues leading into the ſame; as alſo the ſtreet called Marlborough-ſtreet, running parallel thereto on the eaſt ſide, with the lanes and avenues leading into the ſame.

Amended 19 & 20 G. 3. c. 15. s. 4.

WHEREAS the new ſtreet in the pariſh of ſaint Thomas in in the city of Dublin, which is called in the whole or in part Sackville-ſtreet, and ſometimes in the whole or in part thereof is called the Mall, as alſo the ſtreet called Marlborough-ſtreet running parallel thereto on the eaſt ſide thereof, and the ſtreets and avenues leading into the ſame, for want of regularity and uniformity in the pavements and lighting thereof, or a common ſhore or ſewer, or other proper and ſufficient ſewers and drains through the ſaid ſtreets, do often unavoidably abound with water, mud, and dirt, which are apt to collect and to become unwholſome, offenſive, and dangerous to the publick in general, and to the inhabitants of the ſaid ſtreets in particular: and whereas the making ſuch pavements, ſhores, ſewers, and drains, and the conſtant and ſufficient cleanſing, lighting, and repairing ſaid ſtreets and avenues in a proper and becoming manner, will be attended with conſiderable expence, for which the means at preſent provided by law have been found inſufficient and ineffectual: be it enacted and declared by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the right honourable lord chancellor, the earl of Drogheda, the earl of Roſs, lord Eyre, lord Erne, lord Bangor, the right honourable Edmond Sexton Pery, ſpeaker of the houſe of commons, the right honourable ſir Archibald Acheſon, the right honourable ſir William Oſborne, ſir Edward Loftus, the right honourable Nathaniel Clements, William Burton eſquire of Burton hall, the right honourable Anthony Malone, Robert Clements eſquire, Joſeph Henry eſquire, Simon Digby eſquire, Beauchamp Bagnell eſquire, Francis Leigh eſquire, Gervais Parker Buſhe eſquire, Henry Loftus eſquire, Armar Lowry Corry eſquire, Lodge Morres eſquire, George Hamilton eſquire, general Sandford, the honourable baron Scott, reverend dean Bayley, reverend Henry Tilſon,

Commiſſioners appointed for improving Sackville-ſtreet, the Mall, lanes and avenues;

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Richard Dawſon eſquire, Richard Benſon eſquire, colonel Maſſey, Andrew Crauford eſquire, Edward Sneyd eſquire, Charles Savage eſquire, John Blackwood eſquire, colonel William Murray, William Muſſenden eſquire, Conolly Norman eſquire, Edward Madden eſquire, John Godly eſquire, Arthur Craven eſquire, captain Willington, captain Aſhburnham, John Hovenden eſquire, John Brown eſquire, ſhall be and they are hereby appointed commiſſioners for paving, cleanſing, lighting, draining, and improving the ſaid ſtreet, called Sackville-ſtreet and the Mall, and the lanes and avenues leading into the ſame; and that the right honourable earl of Tyrone, lord viſcount Glerawley, right honourable John Beresford, honourable Arthur Browne, honourable Richard Anneſley, honourable Edward Stratford, right honourable Edward Cary, Theophilus Clements eſquire, John Hyde eſquire, Richard Gorges eſquire, colonel John Wynne, John Burton eſquire, reverend doctor Hamilton, John Uſher eſquire, reverend doctor Paul, Edmond Malone eſquire, Badham Thornhill eſquire, John Mitchell eſquire, Robert Hodſon eſquire, Edmond Power eſquire, William Handcock eſquire, John Hill eſquire, captain Ormſby, Townly Dawſon eſquire, James Caulfield eſquire, William Caulfield eſquire, Charles Tottenham eſquire, Arthur Mervyn eſquire, Dixie Coddington eſquire, Lewis Thomas eſquire, ſhall be and they are hereby appointed commiſſioners for paving, cleanſing, lighting, draining, and improving the ſaid ſtreet, called Marlborough-ſtreet, with full power to the ſaid commiſſioners ſo appointed for the ſtreet called Sackville-ſtreet and the Mall, and the lanes and avenues leading into the ſame, and alſo to the ſaid commiſſioners ſo appointed for the ſtreet called Marlborough-ſtreet, and the lanes and avenues leading into the ſame, to pave, cleanſe, light, drain, and improve the ſaid ſtreets, and to order and direct the ſame from time to time ſo as to make and continue the ſaid ſtreets ſafe and commodious for the publick in general, and the inhabitants of ſaid ſtreets in particular, and to free and preſerve the ſame from all nuiſances and annoyances whatſoever, and for that purpoſe to ſink, drive, carry on, and perfect ſuch ſhores, ſewers, and drains, and do and carry on all ſuch neceſſary and proper acts and works in and through the ſaid ſtreets, and in and through that part of Henry ſtreet which runs acroſs the top or ſouth end of the ſaid ſtreet called Sackville-ſtreet and the Mall, and in and through ſuch other publick ſtreets, lanes, roads, paſſages, and places, home to the river Anna Liffey, as may ſeem to them neceſſary and convenient for the purpoſes aforeſaid;

for Marlborough ſtreet,

with full powers to pave, &c.

make ſewers, and all neceſſary works,

aforeſaid; and that they the ſaid commiſſioners for the ſtreet called Sackville-ſtreet and the Mall, and the lanes and avenues leading into the ſame, and the commiſſioners for the ſtreet called Marlborough-ſtreet, or any five or more of them, ſhall reſpectively have full power and authority to do, perform, and perfect all and every ſuch acts, and works, and things aforeſaid, and to execute all and every the powers and authorities herein reſpectively to them given and created for carrying the purpoſes aforeſaid into execution, in ſuch manner as to them ſhall ſeem moſt proper, without any let, ſuit, or interruption from any perſon whatſoever, or any charge or charges of any of the proprietors or inhabitants of ſaid ſtreets, lanes, paſſages, or ways, for or on account of any damages ſo by them to be ſuſtained in the due execution of ſaid works; and that as often as any of the ſaid commiſſioners ſhall die or remove, the ſucceeding occupiers of the houſes ſhall be commiſſioners in their room.

any 5 may act,

without let or ſuit for damages,

on death or removal ſucceeded by the occupiers.

II. Provided always, that the ſaid Sackville-ſtreet ſhall not be made a market or ſtand for coaches, or a place for breaking horſes.

No market, ſtand, or horſe breaking.

III. And be it enacted by the authority aforeſaid, that the publick ſtreet or highway lying at the north end of the ſaid new ſtreet called Sackville-ſtreet and the Mall, next to the lying-in hoſpital, and from the corner of the ſaid hoſpital to the ſouth end of Cavendiſh Row, and ſo croſs the ſame to the north weſt end of ſaid new ſtreet called Sackville-ſtreet and the Mall, and the lanes and avenues leading into the ſame, ſo far as they ſhall find it neceſſary, to open, break up, or make uſe of the ſame for the neceſſary purpoſes of ſufficiently and more conveniently anſwering the ends of this act.

IV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid commiſſioners for the ſtreet called Sackville-ſtreet and the Mall, and the lanes and avenues leading into the ſame, or any five or more of them, and for the commiſſioners for the ſaid ſtreet called Marlborough-ſtreet, and the lanes and avenues leading into the ſame, or any five or more of them, to aſſemble at any place or places within or near the ſaid ſtreets, or within the city of Dublin, to be appointed by them, or any five or more of them, for that purpoſe, on the firſt day of June next, or on any ſubſequent day, which they or any five or more of them ſhall appoint, giving publick notice thereof in one or more of the publick news papers ten days previous to ſuch meeting, and to adjourn from time to time, and to appoint other meetings for the purpoſes of carrying this act into execution at

Place and time of meeting on ten days notice,

may adjourn and appoint others,

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such places, and at such times, as the said commissioners or any five or more of them shall appoint, and to assemble and meet from time to time accordingly; and that the said commissioners, or any five or more of them, shall respectively have full power and authority to direct and regulate the paving, cleansing, lighting, and improving their said streets respectively in such manner, as they shall think proper, and making drains, soughs, shores, and sewers through the same, and every part thereof, and all lanes and avenues leading into the said streets, and for driving and carrying the same through any other publick street, lane, or place to the river Anna Liffey; and that the said commissioners for the said street called Sackville-street and the Mall, and the lanes and avenues leading into the same, shall have full power and authority to lay open the Mall, which is in the middle of said street, and to pave and make it part of the same; and that the said commissioners for the said street called Sackville-street and the Mall, and the lanes and avenues leading into the same, shall have full power and authority respectively to make contracts for all materials necessary for executing the works in their respective streets, and to employ workmen, and to do all matters and things which they shall judge necessary to render the said streets most commodious to the inhabitants of the said streets, and the persons who shall pass through the same; and that the said commissioners for the said street called Sackville-street and the Mall, and the lanes and avenues leading into the same, and the said commissioners for the said street called Marlborough-street, and the lanes and avenues leading into the same, or any five or more of them, shall respectively have full power from time to time to direct such sum or sums of money to be raised upon the inhabitants of their respective streets, as they shall judge necessary for the purposes aforesaid; and such sum or sums of money, so from time to time to be raised, shall be assessed by the said commissioners respectively, or any five or more of them, upon the inhabitants of their said respective streets equally in proportion to the minister's money payable out of the respective houses in the said street, and shall be collected by such person or persons, as the said commissioners respectively, or any five or more of them, shall by writing under their respective hands and seals appoint for the purpose; which sums when collected shall be paid into the hands of such person or persons, or into such bank or banks, within the said city, as shall be appointed by the said commissioners respectively, or any five or more of them, at some publick meeting of the said commissioners, and shall be from time to time drawn out from

5 may regulate the improving,

make drains, &c.

to the river,

open and pave the Mall,

contract for materials,

employ workmen, do all necessary matters,

raise money on inhabitants respectively,

in proportion to minister's money,

paid as appointed, drawn out, and applied, by order at meeting.

from thence, and be paid, applied, and diſpoſed of for the purpoſes aforeſaid by order of the ſaid commiſſioners, or any five or more of them, under their hands, ſigned at ſome publick meeting.

Owners of unoccupied houſes charged,

V. And be it enacted by the authority aforeſaid, that where any of the houſes of the ſaid ſtreet ſhall be untenanted or unoccupied, the owners of ſuch houſes reſpectively ſhall be charged with the ſaid rates, and the premiſſes ſhall remain a ſecurity for the ſame; and where any of the houſes in the ſaid ſtreets are let out in lodgings to tenants, the owners of the houſes are to be aſſeſſed, but the rate may be levied on the occupiers of the ſame; and all dead walls and void ſpaces in the ſaid ſtreets ſhall be reſpectively rated by the ſaid reſpective commiſſioners, or any five or more of them, according to the annual value which the ſaid reſpective commiſſioners, or any five or more of them, ſhall judge ſuch grounds would let for to a ſolvent tenant; and the ſums, which ſhall be ſo aſſeſſed, ſhall be paid by the proprietor of ſuch grounds, until the ſame ſhall be built; and when the ſame ſhall be built, ſuch new houſes ſhall then be rated as the other houſes in the ſaid ſtreets; and in caſe any of the perſons, who ſhall be ſubject to the ſaid rates, ſhall refuſe or neglect for the ſpace of thirty one days after demand to pay the ſum or ſums, ſo reſpectively aſſeſſed by the ſaid reſpective commiſſioners to be paid by him or them to the perſon or perſons appointed as herein before mentioned to collect the ſame, ſuch collector or collectors may levy the ſame by diſtreſs upon the goods of him, her, or them ſo refuſing or neglecting to pay the ſame: and in caſe ſuch diſtreſs ſhall not be redeemed within three days, after the ſame ſhall be ſo taken, ſuch collector or collectors ſhall and may ſell the ſame by publick cant; and out of the principal deduct the ſum due for the ſaid rate together with the coſt of ſuch diſtreſs, if any, and return the overplus to the owner: and the ſaid reſpective commiſſioners, or any five or more of them, ſhall and may apply as aforeſaid the ſums, that ſhall be raiſed, for the purpoſe aforeſaid; and all the ſtones and other materials in the ſaid reſpective ſtreets are hereby veſted in the ſaid reſpective commiſſioners to be ſold or uſed for the purpoſes aforeſaid, with power to agree and contract for all manner of materials and neceſſaries with workmen, undertakers, and all neceſſary artizans and perſons whatſoever: and that ſaid commiſſioners of ſaid ſtreets reſpectively, or any five of them, may and ſhall be liable to all contracts and agreements ſo made by them, and be ſubject to all ſuch ſuits as ſhall be proſecuted againſt them for the non-performance of all or any of ſuch contracts.

and where let to lodgings, but levied on occupiers,

dead walls, ſpaces, by annual value if let to a ſolvent, paid by proprietor;

when built, rated as the reſt,

diſtreſs on non-payment 31 days,

ſale if not redeemed in 3,

materials veſted in commiſſioners, with powers to contract,

ſubject on non-performance,

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Inhabitants freed from ſcavenger's and other contributions.

VI. And be it enacted by the authority aforeſaid, that from and after the paſſing of this act the inhabitants of the aforeſaid new ſtreet called Sackville-ſtreet and the Mall, and the inhabitants of Marlborough-ſtreet, and all the houſes, lands, and tenements within the ſame, and which ſhall be liable to be taxed for the purpoſes of this act, ſhall be exonerated, freed, and diſcharged from all ſcavanger's rates, and from all taxes and contributions in reſpect of the ſaid ſtreets for paving, lighting, or cleanſing the ſame, other than ſuch taxes, rates, and aſſeſſments, to which they ſhall be liable by this act.

Not opened, nor other ſewer, &c. laid in, without leave.

VII. And be it enacted by the authority aforeſaid, that it ſhall not be lawful to or for any perſon or perſons in any ſtreet, lane, or place, through which any ſhore, ſewer, drain, or ſough ſhall be carried by virtue of this act, to open any ſuch ſewer, drain, or ſough, or to lay or carry any other ſhore, ſewer, drain, or ſough into the ſame, without the leave and licence of the ſaid reſpective commiſſioners hereby appointed, or five of them at the leaſt, under their hands and ſeals, obtained at ſome publick meeting of the ſaid reſpective commiſſioners: and that if any ſhore, ſewer, drain or ſough, ſhall be ſo opened or laid into the ſame, that the ſaid reſpective commiſſioners, or any perſon or perſons employed by them, ſhall and may interrupt and ſtop up the ſame.

A publick act,

VIII. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame; and that the ſame do paſs as a publick act without fees: and in caſe any action or ſuit ſhall be commenced or proſecuted againſt any perſon or perſons for any thing done by virtue of and in execution of this act, every ſuch perſon ſhall and may plead the general iſſue, and give this act in evidence as aforeſaid; and that if any verdict, nonſuit, or diſcontinuance ſhall paſs or happen againſt the plaintiff or plaintiffs in ſuch action or ſuit, the defendant or defendants ſhall have and be intitled to double coſts.

general iſſue pleaded, &c.

and double coſts to defendants.

CHAP.

A. D. 1771-2.

CHAP. XIV.

An act for preventing the ſpreading of fires, and for appointing of watches in cities and towns-corporate.

Amended 13 & 14 G. 3. c. 24.

WHEREAS it is of great importance for the preſervation of the lives and properties of the inhabitants of cities, that one fire-engine at the leaſt ſhould be provided and kept in every pariſh therein, and that regular watches ſhould be appointed to prevent diſturbances in the night: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the miniſter of every pariſh in every city and town-corporate, (except ſuch for which particular proviſions have been already made by ſome law,) or his curate, ſhall on the firſt day of June one thouſand ſeven hundred and ſeventy two hold a veſtry, of which he ſhall give publick notice at leaſt ſix days previous to the holding of ſuch veſtry, including the day of ſuch notice; and ſuch veſtry ſhall at ſuch meeting determine and aſcertain the ſum of money to be raiſed upon the pariſh for the purpoſe of purchaſing one fire engine at the leaſt with pipes, buckets, and all other implements neceſſary for working the ſame, and for providing a proper place for keeping the ſame in, and ſhall appoint ſuch perſons to attend and work the ſame, as often as occaſion ſhall require, at ſuch yearly ſalaries as they ſhall think proper; and ſuch veſtry ſhall at ſuch meeting elect and nominate three of the pariſhioners of good ſubſtance to be directors of the watch for the year enſuing, and ſhall alſo appoint ſuch number of watch men and at ſuch wages, as they ſhall think proper, which watchmen ſhall be under the controul and inſpection of ſuch directors.

In every city or corporate town miniſters or curates 1 June 1772 to hold a veſtry on 6 days notice,

to fix a pariſh rate for 1 engine at leaſt with all implements, and for keeping, and attendants, at yearly ſalaries,

elect 3 ſubſtantial watch-directors for the year,

and watchmen at wages under their controul.

II. Provided always that no ſuch pariſh, which has at preſent a fire-engine belonging to it, ſhall be obliged to purchaſe another.

III. And be it enacted by the authority aforeſaid, that the miniſter of every pariſh or his curate, ſhall on every firſt day of June annually during the continuance of this act hold a veſtry, of which ſuch notice ſhall be given as aforeſaid, for the purpoſe of chuſing and appointing ſuch perſons directors and watchmen, as herein before mentioned, for the year enſuing; and ſuch veſtry ſhall at ſuch meetings determine and ſettle what ſums ſhall be

The like every 1 June.

A. D. 1771-2. Chap. 14.

raiſed for all or any of the purpoſes aforeſaid, during the enſuing year.

Church wardens to levy on houſe occupiers for miniſter's money, *repealed* 13 & 14 *G.* 3. *c.* 24. *ſ.* 5.

IV. And be it enacted by the authority aforeſaid, that the churchwardens of ſuch pariſhes reſpectively ſhall from time to time levy the ſum, ſo agreed to be raiſed, upon the occupiers of houſes within their reſpective pariſhes, according to the rate at which ſuch houſes are valued for the collection of the miniſter's money; and where there is no ſuch valuation, ſuch houſes ſhall be valued by three inhabitants of every ſuch pariſh upon oath, to be appointed by ſuch churchwardens reſpectively, which oath ſuch churchwardens reſpectively are hereby empowered and required to adminiſter; and ſuch churchwardens reſpectively ſhall levy the proportion of the ſum ſo agreed to be raiſed upon the occupiers of ſuch houſes according to ſuch valuation; and in caſe any perſon or perſons ſhall refuſe or neglect to pay to ſuch churchwarden the ſum, with which they are ſo chargeable, or any part thereof, ſuch churchwarden reſpectively ſhall have the like remedy for recovery of the ſame by diſtreſs, or otherwiſe, as they have for recovery of pariſh ceſſes.

where not ſo valued, by 3 pariſhioners on oath,

on non-payment recovered as pariſh ceſſes.

Applied to ſaid purpoſes,

V. And be it enacted by the authority aforeſaid, that ſuch churchwardens reſpectively ſhall apply the ſum ſo raiſed for the reſpective purpoſes herein before mentioned, and ſhall before the expiration of the year, for which they ſhall be ſo reſpectively choſen as aforeſaid, return to the miniſter of ſuch pariſh, or his curate, upon oath, (which oath ſuch miniſter or curate is hereby impowered and required to adminiſter,) a true and particular account in writing of the ſums ſo by them reſpectively received, and of the application of the ſame, which account ſhall be examined and allowed or diſallowed at the veſtry, of which ſuch notice as aforeſaid ſhall be given to be held for that purpoſe; and in caſe any churchwarden ſhall neglect or refuſe to return ſuch account, he ſhall forfeit the ſum of twenty pounds, to be ſued for and recovered by civil bill in the name of the miniſter of ſuch pariſh, and the ſame ſhall be applied to the uſe of the pariſh.

a true and particular account returned on oath to the miniſter before end of the year,

examined at veſtry on like notice,

penalty on church-wardens 20*l.*

by civil bill, for pariſh uſe.

Veſtry to make regulations, remove thoſe employed, and appoint others,

VI. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the miniſter or his curate, the churchwardens and pariſhioners, of every ſuch pariſh, or the major part of them in veſtry aſſembled, from time to time, as occaſion ſhall require, to make ſuch byelaws, orders, and rules for the regulation of the watch, and of the perſons employed in working ſuch fire engines, as they ſhall think neceſſary, and to remove ſuch of them as they ſhall think proper, and to appoint others

others in their places; and in caſe any watchman, or perſon employed about ſuch fire-engine, ſhall act contrary to any ſuch rules, ſuch watchman or other perſon upon due proof thereof upon oath by one or more credible witneſs or witneſſes before any juſtice of the peace of ſuch city or town corporate ſhall forfeit the ſum of ten ſhillings, to be deducted out of his wages, which ſhall be applied to the uſe of the pariſh. A. D. 1771-2. acting contrary, 10s. out of wages, to pariſh uſe.

VII. And be it enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced or proſecuted againſt any perſon or perſons for any thing, which ſhall be done in purſuance of this act, the defendant or defendants may plead the general iſſue, and give the ſpecial matter in evidence; and this act ſhall be deemed a publick act, and judicially taken notice of as ſuch. General iſſue pleaded, &c. a publick act,

CHAP. XV.

An act for the relief of poor infants, who are or ſhall be deſerted by their parents.

WHEREAS poor infants are frequently deſerted by their parents, and left expoſed to the inclemency of the weather in the ſtreets and other places in cities: and whereas the inhabitants of ſeveral pariſhes, in which children are ſo expoſed, refuſe to raiſe money for the ſupport of ſuch children, by which many of them periſh: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that in every city in this kingdom (except the cities of Dublin and Cork) a veſtry ſhall be held annually in every pariſh within ſuch cities on ſome day in the firſt week in June, of which publick notice ſhall be given by the miniſter or his curate at leaſt ſix days previous to the holding of ſuch veſtry, excluſive of the day of giving ſuch notice and of the day of holding ſuch veſtry; and the miniſter or curate, churchwardens, and pariſhoners of every ſuch pariſh ſhall at ſuch veſtries reſpectively annually chooſe three overſeers out of the inhabitants of every ſuch pariſh. *amended* 13 *and* 14 *G.* 3. *c.* 24. annual veſtries in cities (ſave *Dublin* and *Cork*,) 1ſt week in *June* on 6 days notice excluſive, to chuſe 3 pariſhioners overſeers.

II. And be it enacted by the authority aforeſaid, that ſuch overſeers ſhall take up and provide for the maintenance and education of all ſuch children, as ſhall be ſo deſerted and expoſed within their reſpective pariſhes: provided always, that not more than the ſum of five pounds ſhall be allowed for each child. To provide for the deſerted children, not above 5l. each child allowed.

A. D. 1771-2. Chap. 15.

III. And to the end that the expence of maintaining ſuch children may be equally borne by the inhabitants of ſuch cities reſpectively, be it enacted by the authority aforeſaid, that the overſeers of every pariſh in ſuch cities reſpectively ſhall from time to time, as occaſion ſhall require, aſſemble together, and ſettle and determine, what ſums of money ſhall be raiſed upon the inhabitants of ſuch cities reſpectively for the purpoſe of maintaining and educating ſuch deſerted children; and ſuch overſeers, or the major part of them, ſhall at ſuch meetings equally and impartially aſſeſs ſuch ſums ſo to be raiſed upon the inhabitants of the ſeveral houſes within ſuch cities reſpectively according to the miniſter's money payable out of ſuch houſes; and where ſuch houſes are not rated to the miniſter, the ſame ſhall be valued by ſuch overſeers, or the major part of them, and rated accordingly.

To aſſeſs the ſums for maintaining and educating equally on inhabitants by miniſter's money, *repealed by* 13 *and* 14 *G.* 3. *c.* 24. *ſ.* 2. if not rated, valued by overſeers.

IV. And be it enacted by the authority aforeſaid, that ſuch overſeers within their reſpective pariſhes, or ſome perſon or perſons appointed by them, ſhall collect the ſeveral ſums ſo aſſeſſed, and apply the ſame for the maintenance and education of ſuch deſerted children within their reſpective pariſhes; and if any occupier of any houſe ſhall refuſe or neglect to pay the ſum ſo aſſeſſed to ſuch overſeers, or the perſon or perſons by them appointed, for the ſpace of two days after demand thereof, the ſame ſhall be levied on every ſuch occupier by diſtreſs and ſale of his or her goods by warrant under the hands and ſeals of ſuch overſeers, returning the overplus, if any, after deducting all charges attending the ſame, to the owner of ſuch goods ſo diſtrained.

To collect and apply the ſame,

on nonpayment 2 days levied on occupiers by diſtreſs and ſale.

V. And be it enacted by the authority aforeſaid, that ſuch overſeers ſhall return a quarterly account to their reſpective pariſh miniſters or to their reſpective curates upon oath, (which oath ſuch miniſters and curates reſpectively are hereby impowered and required to adminiſter) of the reſpective ſums ſo by them levied, and how the ſame have been applied.

Accounts on oath to pariſh miniſters quarterly.

VI. And be it enacted by the authority aforeſaid, that if any overſeer ſhall happen to die within the year, for which he ſhall be ſo choſen, another perſon ſhall be choſen in his room within ten days after his deceaſe at a veſtry to be held for the pariſh, in which he was overſeer, of which four days previous notice at the leaſt ſhall be given by the miniſter of ſuch pariſh or his curate.

Another choſen at veſtry in 10 days after deceaſe,

4 days notice.

VII. And be it enacted by the authority aforeſaid, that every ſuch overſeer ſhall, within ſix days after he ſhall be ſo elected, take an oath before the chief magiſtrate of the city, in which

Overſeer's oath to aſſeſs fairly in 6 days after election before the chief magiſtrate.

he ſhall be ſo elected, which oath ſuch chief magiſtrate is hereby impowered and required to adminiſter, that he will fairly and juſtly without favour or affection aſſeſs ſuch ſums, as may be neceſſary to be raiſed for the purpoſes aforeſaid. A. D. 1771-2.

Regular account of ſums and perſons entered,

VIII. And be it enacted by the authority aforeſaid, that the overſeers in every ſuch city ſhall enter, or cauſe to be entered, in a book, to be kept for the purpoſe, a regular account of the ſums from time to time by them directed to be raiſed for the purpoſes aforeſaid, and of the names of the perſons upon whom the ſame are to be levied; and copies of ſuch entries, lodged by ſuch overſeers, ſhall be delivered to the miniſters of the reſpective pariſhes or their curates, to which all the pariſhioners of ſuch pariſhes reſpectively may have recourſe to at all ſeaſonable times.

copy to the miniſter,

reſorted to by pariſhioners.

Pariſhioners not electing, named by the miniſter or curate,

IX. And be it enacted by the authority aforeſaid, that if the pariſhioners of any ſuch pariſh ſhall at ſuch veſtry refuſe or neglect to elect three ſuch overſeers, then and in ſuch caſe the miniſter of ſuch pariſh, or in his abſence his curate, ſhall name three overſeers for ſuch pariſh, which perſons ſo named ſhall be inveſted with the ſame powers, as if they had been elected by the pariſhioners.

with like powers.

General iſſue pleaded, &c.

X. And be it enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced or proſecuted againſt any perſon or perſons for any thing done in purſuance of this act, the defendant or defendants may plead the general iſſue, and give this act and the matter in evidence; and that this act ſhall be deemed a publick act, and judicially taken notice of as ſuch.

a publick act.

CHAP. XVI.

An act for erecting parochial chapels of eaſe in pariſhes of large extent, and making ſuch chapels, and thoſe that are already erected, perpetual cures; and for making a proper proviſion for the maintenance of perpetual curates to officiate in the ſame; and alſo in like manner for making appropriate pariſhes perpetual cures.

WHEREAS there are ſeveral pariſhes within this kingdom of ſuch large extent, that the mother churches of ſuch pariſhes are not ſufficient to accommodate the number of inhabitants, who might reſort thither for divine worſhip, and on account of the great diſtance many of them reſide at, they cannot conveniently reſort thereto, in ſome of which chapels of eaſe have been erected purſuant to the laws now in being: in order

A. D. 1771-2. Chap. 16.

order that a further proviſion may be made, that a ſufficient number of churches may be erected for the celebration of divine ſervice at convenient diſtances for the reſort of the proteſtant inhabitants of this kingdom, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful to and for the ſeveral archbiſhops and biſhops of this kingdom, and their ſucceſſors, to erect, or cauſe to be erected, new churches or chapels in convenient places within ſuch pariſhes, as to the ſaid archbiſhops and biſhops reſpectively ſhall ſeem proper.

Biſhops may erect new churches or chapels, where proper.

II. Provided always, and it is hereby declared, that ſuch churches or chapels ſhall not be erected, before the bounds of the reſpective diſtricts, which ſhall belong to the cure of each of the ſaid new churches or chapels, ſhall be aſcertained by an inſtrument in manner hereafter directed with the conſent of the incumbent for the time being under his hand and ſeal. And that it ſhall and may be lawful for the ſaid archbiſhops and biſhops, and their ſucceſſors, by writing under their hands and archiepiſcopal or epiſcopal ſeals reſpectively with the conſent of the rector or incumbent of every ſuch pariſh reſpectively for the time being under his hand and ſeal to ſet out and deſcribe the bounds and the ſeveral town-lands, which ſhall be comprized within the reſpective diſtricts or new pariſhes, which ſhall belong to the cure of each of the ſaid new churches or chapels, and to thoſe which are already erected reſpectively; and from and after the time that ſuch new pariſhes ſhall be ſo ſet out and aſcertained by ſuch inſtrument, which ſhall be duly entered in the regiſtry of the dioceſe, and enrolled in the rolls office of this kingdom, for which enrollment the ſum of thirteen ſhillings and four pence, and no more, ſhall be paid, over and above the expences uſually paid to the engroſſing clerk for the ſame. And the ſaid ſeveral diſtricts, ſo ſet out and deſcribed, ſhall be deemed and reputed ſeveral and diſtinct pariſhes for the purpoſes in this act mentioned, and ſhall be reſpectively called and known by ſuch names, as ſhall be given to them by ſuch inſtrument; and the ſaid ſeveral churches or chapels, which are intended to be erected, and thoſe which are already erected in the ſaid new pariſhes, ſhall be deemed perpetual cures, and the curates of each of them reſpectively, when duly nominated and licenced, ſhall be capable of receiving any endowment from the ſaid archbiſhops and biſhops reſpectively, or their ſucceſſors, or from the

Each diſtrict aſcertained by inſtrument with incumbent's conſent,

under epiſcopal ſeal,

ſetting out bounds and town lands,

ſuch inſtrument regiſtered in dioceſe,

and inrolled,

fee 13s. and 4d. beſides clerk,

deemed diſtinct pariſhes, and named,

and perpetual cures,

the curates capable of endowment,

the rectors or incumbent of ſuch pariſh, or their ſucceſſors, or any other bodies corporate or politick, or any other perſon or perſons, in ſuch manner as any curate of any impropriate or appropriate pariſh is by the laws now in being qualified to take the ſame; and each and every ſuch curate ſhall have perpetual ſucceſſion, and are hereby declared to be bodies politick and corporate, and made capable to receive and take any ſuch endowments in lands, or tyths, or both, or any ſuch augmentation as ſhall be granted to them and their ſucceſſors; and from and after the time that any of the ſaid cures ſhall be endowed with ſufficient quantity of glebe, it ſhall and may be lawful for ſuch curate with the approbation of the archbiſhop or biſhop of ſuch dioceſe, or their ſucceſſors, to make ſuch buildings and improvements on ſuch glebe, and he ſhall be entitled to receive ſuch proportion of the money, expended in making or building the ſame, from his next ſucceſſor, as any other incumbent is or ſhall be entitled unto for buildings and improvements on the glebe of his benefice; and all ſuch proviſions for encouraging the making buildings and improvements on glebes belonging to the clergy ſhall extend to the ſaid curates reſpectively, in the ſame manner as they now do to any incumbent of any eccleſiaſtical benefice.

have perpetual ſucceſſion, and bodies corporate,

when endowed with ſufficient glebe, may with dioceſan's conſent build and improve,

and entitled to proportion from ſucceſſor and all encouragement for improving on glebe as other incumbents.

III. Provided always, that no curate, who ſhall hereafter ſucceed to a perpetual curacy, endowed by this act or any other act of parliament, ſhall be obliged to pay to his predeceſſor, or the executors or adminiſtrators of his predeceſſor, by virtue of any certificate for building or improving on ſuch glebes, with which his curacy may be endowed, any greater ſum than fifty pounds: And it ſhall be lawful for the truſtees and commiſſioners of the firſt fruits, and they are hereby required, to grant to any of the ſaid curates a ſum not exceeding one hundred and fifty pounds to enable ſuch curate to build ſuch houſe; which ſaid ſum the ſaid truſtees are impowered to grant, before ſuch houſe is begun to be built, upon an aſſurance that ſuch houſe ſhall be built upon a plan and eſtimate approved of by the ſaid archbiſhops and biſhops reſpectively, or their ſucceſſors, and by the ſaid truſtees.

Not to pay predeceſſor on certificate for improving on glebe above 50l.

firſt fruits to advance not above 150l. for building upon a plan approved.

IV. And be it further enacted by the authority aforeſaid, that from and after the execution, regiſtry, and enrollment of ſuch inſtrument, as is before directed, it ſhall be lawful for the archbiſhop or biſhop of the dioceſe, and their ſucceſſors, to appoint veſtries to be held for each of the ſaid intended new pariſhes, and the rector or incumbent of ſuch pariſh, where ſuch new

After ſuch inſtrument enrolled veſtries appointed by biſhops for each new pariſh on notice by incumbent or his curate,

A. D. 1771-2. Chap. 16.

pariſhes are to be ſet out and erected reſpectively, or his curate, ſhall give notice of ſuch veſtries to be held at ſuch place, as ſhall be thought moſt convenient, within the ſaid reſpective pariſhes or diſtricts, and at ſuch time or times as ſhall be appointed in ſuch notice, which ſhall be publiſhed in ſuch manner, as is uſual for convening veſtries for the mother church of ſaid pariſh, or by affixing the ſame on the doors of the pariſh-church, or by ſuch other ways and means as ſhall be thought neceſſary; and at the firſt veſtry, ſo to be held for every of the ſaid new pariſhes, two perſons ſhall be choſen for church wardens for each pariſh reſpectively, in ſuch manner as church wardens are uſually elected in the old pariſh-church; and in caſe of failure in making ſuch election it ſhall be lawful for the ſaid archbiſhops and biſhops, and their ſucceſſors reſpectively, to nominate ſuch church wardens for every of the ſaid pariſhes, where ſuch failure ſhall happen; and ſuch church wardens, when ſo elected or nominated, ſhall continue in ſuch office for one year from the Eaſter next after ſuch election or appointment, and new church wardens ſhall be choſen annually in ſuch manner, as is uſual in the ſaid pariſh: and it ſhall be lawful for the rector or incumbent of ſuch pariſh, or his curate, and the church-wardens and the majority of the proteſtant inhabitants of each of the ſaid intended new pariſhes, aſſembled in veſtry, to aſſeſs ſuch ſums of money, as ſhall from time to time be neceſſary for erecting or building and repairing the church or chapel of their reſpective pariſh, which money ſhall be aſſeſſed, applotted, and levied, in ſuch manner as ceſſes for building or repairing other churches are by the laws now in being directed to be raiſed.

at firſt veſtry 2 church wardens choſen as uſual,

on failure nominated by biſhops,

continued 1 year from Eaſter after,

and choſen annually as uſual,

aſſeſſment in veſtry for the church or chapel, as for others.

V. And be it further enacted by the authority aforeſaid, that as ſoon as the ſaid churches or chapels ſhall be erected, and ſet apart for divine worſhip, the rector or incumbent of ſuch pariſh for the time being ſhall nominate to the ſaid archbiſhop or biſhop of the dioceſe, or their ſucceſſors, a ſufficient curate for every ſuch pariſh, where ſuch church or chapel ſhall be ſo erected and ſet apart, which curate ſhall be approved of and licenced by the ſaid archbiſhop or biſhop, or their ſucceſſors, in ſuch manner as other curates are by law to be licenced and approved of; and upon every vacancy of any of the ſaid cures by the death or removal of ſuch curate, or by his acceptance of any other cure, or of any benefice with cure of ſouls, another curate ſhall be nominated and appointed in manner aforeſaid. And in caſe the rector or incumbent of any ſuch pariſh for the time being ſhall fail or neglect to nominate a curate for the ſpace of two months after

Curate nominated by incumbent,

licenced as others,

on vacancy another appointed,

incumbent not nominating in 2 months, appointed by biſhop,

after any of the ſaid churches or chapels ſhall be erected and ſet apart, or after any ſuch vacancy ſhall happen, it ſhall be lawful for the ſaid archbiſhops and biſhops reſpectively, or their ſucceſſors, to appoint and licence a curate for ſuch of the ſaid pariſhes and churches, where ſuch failure ſhall happen, and to allocate ſuch ſalary for every ſuch curate ſo to be nominated or appointed, and licenced for any of the ſaid cures, as he is at preſent enabled to do by the laws now in being, over and above any endowment of the ſaid cures granted for the augmentation of the maintenance of any of ſaid curates.

with uſual ſalary, above endowment, for augmentation.

VI. Provided, that if the rector or incumbent of ſuch pariſh, or his ſucceſſors, ſhall by deed in writing with the conſent and approbation of the archbiſhop or biſhop of the dioceſe, or their ſucceſſors, the patron, and the dean and chapter of the ſaid dioceſe, where there is a dean and chapter, in ſuch dioceſe where there are no dean and chapter by the conſent of the major part of the beneficed clergy at their reſpective viſitations, teſtified by their being parties to and affixing their ſeals to ſuch writing, endow any of the ſaid cures with a competent portion of glebe or tyths for the maintenance of the curate, ſuch rector or incumbent, and his ſucceſſors, ſhall from thenceforth be diſcharged from the payment of the ſalary to the curate, who ſhall be ſo endowed; ſuch writing to be regiſtered in the regiſtry of the dioceſe, and enrolled in the rolls office in the chancery of this kingdom, for which enrollment the ſame fee herein before ſpecified, and no more, ſhall be paid.

Incumbent, by deed with conſent endowing with competent glebe or tyths, diſcharged from ſalary,

the writing regiſtered and enrolled.

VII. And be it further enacted by the authority aforeſaid, that the inhabitants and pariſhioners of each of the ſaid intended new pariſhes, in which chapels of eaſe are already erected, or in which ſuch churches or chapels hereafter ſhall be erected, ſhall be diſcharged from the repairing any other church or chapel; and that the miniſter, church wardens, and the proteſtant inhabitants of each of the ſaid intended new pariſhes, or the major part of them in veſtry aſſembled, ſhall have power to elect all parochial officers in ſuch manner, as any of the inhabitants of any other pariſh are by law empowered, and to aſſeſs, applot, and levy upon the lands or inhabitants of their ſaid pariſh ſuch ſums of money, as may be requiſite for keeping their church or chapel in repair, and providing ſuch neceſſaries for the uſe of their reſpective churches, and the celebration of divine ſervice there, and to aſſeſs, applot, and levy ſuch ſalary for a pariſh clerk in each of the ſaid intended pariſhes, in ſuch manner as may by law be raiſed for the clerk of any other pariſh; and ſuch

Diſcharge from repairing other church or chapel,

veſtry to elect officers as in other pariſhes,

aſſeſs and levy for church repairs and neceſſaries, and clerk's ſalary,

clerk intitled as the antient pariſh clerk,

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ſuch pariſh clerks in each of the ſaid intended pariſhes ſhall at all times be entitled to ſuch proviſion and maintenance, as the clerk of the ancient pariſh would be entitled to, in caſe this act had not been made; and ſuch pariſhes ſhall have all parochial rights by law appertaining to any other pariſhes for the purpoſes in this act mentioned as aforeſaid. Saving nevertheleſs to the rector or incumbent of ſuch pariſh, and his ſucceſſors, all his and their rights as rectors or incumbents of ſaid pariſh.

all parochial rights to ſuch pariſhes; ſaving incumbent's rights.

VIII. Provided alſo, that this act ſhall not be conſtrued ſo as to diſcharge the ſaid rectors or incumbents of ſaid pariſhes, or their ſucceſſors, from the cure of ſouls, or any other parochial duties in any of the ſaid intended new pariſhes, but ſuch cure of ſouls and duties ſhall remain in him and them as before the paſſing this act.

Cure of ſouls and parochial duties as before.

IX. And whereas ſeveral deans, archdeacons, and other dignitaries in the church, have ſeveral pariſhes with cure of ſouls appropriate and annexed to their dignities as part of the corps thereof, which cures are ſerved by ſtipendiary curates, who have no place of reſidence in the pariſhes, where they officiate: and whereas it would tend greatly to the advancement of religion, and promoting the proteſtant intereſt in this kingdom, if ſuch curates were enabled to reſide in their reſpective cures by being provided with convenient glebes and houſes: be it further enacted by the authority aforeſaid, that ſuch appropriate cures ſhall be hereafter deemed perpetual cures with the conſent of the archbiſhop, biſhop of the dioceſe, the dean and chapter of the ſaid dioceſe, and of the dignitary to whoſe dignity ſuch pariſh or pariſhes are appropriated, teſtified in writing under their hands and ſeals, from the time ſuch writing is entered in the regiſtry of the dioceſe, and in the regiſtry of the metropolitical court of the province; and the curates of each and every of them reſpectively ſhall be capable of receiving any endowment from the reſpective deans, archdeacons, or other dignitaries, to whom ſuch benefices are ſo appropriated reſpectively, or any other bodies corporate or politick, or any other perſon or perſons, in ſuch manner as any curate of any impropriate or appropriate benefice is by the laws now in being qualified to take any endowment; and every ſuch curate ſhall have perpetual ſucceſſion; and ſuch curates are hereby created bodies politick and corporate, and made capable to receive any ſuch endowments in land or tyths, or both, or any ſuch augmentation as ſhall be granted to them and their ſucceſſors; and from and after the time that any of the ſaid cures ſhall be endowed with a ſufficient quantity of glebe,

To enable ſtipendiary curates to reſide where they officiate,

appropriate cures to dignities deemed perpetual,

with conſent of biſhop and dignitary under hand and ſeal, regiſtered,

not without archbiſhop's by 13 *and* 14 *G.* 3. *c.* 27. *ſ.* 4.

capable of endowment as any curate of impropriate or appropriate benefice,

have perpetual ſucceſſion,

bodies corporate,

when endowed with ſufficient glebe may

it

it ſhall and may be lawful for any ſuch curate with the approbation of the archbiſhop or biſhop of the dioceſe to make ſuch buildings and improvements on ſuch glebe, and he ſhall be intitled to receive the money, ſo expended in building and making the ſame, from his next ſucceſſor, as any other incumbent is or ſhall be entitled to for buildings and improvements on the glebe of his benefice: and all ſuch proviſions for encouraging the building, and making improvements on the glebes belonging to the clergy, ſhall extend to ſuch curates reſpectively in the ſame manner, as they now do to the incumbent of any eccleſiaſtical benefice; and it ſhall be lawful for the truſtees and commiſſioners of the firſt fruits payable out of the eccleſiaſtical benefices in Ireland, and they are hereby required, to grant to any ſuch curate a ſum, not exceeding one hundred and fifty pounds, to enable ſuch curate to build a houſe, which ſum the ſaid truſtees are hereby empowered to grant, before ſuch houſe is begun, upon an aſſurance from the archbiſhop or biſhop of the dioceſe that ſuch houſe ſhall be built upon a plan and eſtimate, approved of by the archbiſhop or biſhop of the dioceſe and by the ſaid truſtees.

With biſhop's approbation build and improve, receive expence from ſucceſſor as other incumbent, and like encouragement, firſt fruits to advance not above 150l. to build, on a plan approved.

X. And be it further enacted by the authority aforeſaid, that if any dean, archdeacon, or dignitary, to whoſe deanry, archdeaconry, or dignity any ſuch pariſh or pariſhes with cure of ſouls ſhall be ſo appropriate, ſhall with the conſent and approbation of the archbiſhop or biſhop of the dioceſe, the patron, and the dean and chapter of the church, to which ſuch deanry, archdeaconry, or other dignity ſhall belong, teſtified by their being parties and affixing their ſeals to ſuch writing, endow any ſuch cures with a competent portion of glebe or tyths, or both, for the maintenance of any ſuch curate, the dean, archdeacon, or other dignitary, and their reſpective ſucceſſors, ſhall from thenceforth be diſcharged from the payment of the ſalary to the curate, who ſhall be ſo endowed, from the time ſuch writing ſhall be entered in the regiſtry of the dioceſe, and enrolled in the rolls office of the court of chancery of this kingdom; for which the ſum of thirteen ſhillings and four pence ſhall be paid over and above the expences uſually paid to the engroſſing clerk for engroſſing the ſame.

Dignitary, endowing cure with conſent of biſhop and patron regiſtered and inrolled, diſcharged ſalary.

XI. Provided, that this act ſhall not be conſtrued ſo as to diſcharge any ſuch dean, archdeacon, or other dignitary, or their ſucceſſors, from the cure of ſouls, or any other parochial duties, in any ſuch appropriate benefice; and that no ſuch dean, archdeacon, or other dignitary, ſhall receive any benefit from any ſuch

Such dignitary not diſcharged cure of ſouls or parochial duties, have no benefit from ſuch endowment,

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such endowment, but shall be liable to the payment of such salary to every such curate, as he would have been, in case no such endowment had been made, unless such dean, archdeacon, or other dignitary, shall by such endowment by such writing, as is herein before mentioned, be discharged from the same.

liable to salary as if no endowment, unless so discharged.

XII. And be it further enacted by the authority aforesaid, that as often as the cure of any such appropriate parish, which shall be so endowed or augmented pursuant to this act, shall become vacant by any means, it shall and may be lawful for the dean, archdeacon, or other dignitary, to whose dignity such parish is appropriate, to nominate to the archbishop or bishop of the diocese a sufficient curate for every such parish respectively; which curate shall be approved of and licenced by the said archbishops or bishops respectively, in such manner as other curates are by law to be licenced and approved of; and upon every vacancy of any of the said cures by the death or removal of such curate, or by his acceptance of any other cure, or of any benefice with cure of souls, another curate shall be nominated and appointed in manner before directed; and in case any of the deans, archdeacons, or other dignitaries, to whose dignities such parish shall be appropriate, shall fail or neglect to nominate a curate, for the space of two months after any such cures shall become vacant, it shall be lawful for the archbishop or bishop of such diocese to appoint and licence a curate for such parishes, where such failure shall happen, and to allocate such salary for every such curate, so to be nominated or appointed, and licenced for any of the said cures, as he is at present enabled to do by the laws now in being, over and above any endowment of the said cures granted for the augmentation of the maintenance of any of the said curates, unless such dean, archdeacon, or other dignitary shall have endowed the curate of such parish, and thereby have become discharged from the payment of such salary in the manner herein before mentioned.

On any vacancy of such cure endowed, the dignitary to nominate,

licenced by bishop,

On failure to nominate 2 months, bishop to appoint with salary above any endowment, unless dignitary by endowment so discharged,

XIII. And be it further enacted by the authority aforesaid, that it may be lawful for the chief governor or governors of this kingdom for the time being with the assent, advice, approbation, and consent of such persons in such manner, and under such savings and provisoes, as are mentioned in the act of the second year of King George the first, entitled, *An act for the real union and division of parishes*, to unite appropriate parishes and to disappropriate appropriate parishes or part of such parishes, and to unite such disappropriated parishes or part of such parishes

C. governors with consent as by 2 G. 1. c. 14, may unite and disappropriate parishes, and erect into new with all parochial rights, 2-3ds of dean and chapter present and consenting, by 13 and 14 G. 3. c. 27. s. 3.

to another pariſh, and to erect ſuch divided and united pariſhes into new pariſhes with all parochial rights.

Where conſent of King to be given to unions or diviſions, or endowment of perpetual cures C. governor's under hand and ſeal valid.

XIV. Provided always, and be it further enacted by the authority aforeſaid, that when the conſent of the King's Majeſty, his heirs and ſucceſſors, is to be given to the making any unions or diviſions of appropriate pariſhes, or of parts of ſuch pariſhes, or to the endowment of perpetual cures by virtue of this act, or any unions and diviſions of pariſhes, or unions of any dignitaries or benefices, or other eccleſiaſtical preferments, by virtue of the act of the ſecond year of King George the firſt, entitled, *An act for the real union and diviſion of pariſhes*, or of any other act now in force in this kingdom, the conſent of the chief governor or governors for the time being under his or their hands and ſeals to ſuch unions and diviſions ſhall to all intents and purpoſes be as good and valid in law, as if the conſent of his Majeſty, his heirs and ſucceſſors, was thereunto ſignified by letters patent under the great ſeal of this kingdom.

Enrolled in 6 months,

fee 3s. and 4d.

XV. Provided always, that ſuch conſent of the chief governor or governors as aforeſaid be enrolled in the rolls office in the high court of chancery in this kingdom within ſix months after the date thereof; for the enrollment whereof three ſhillings and four pence, and no more, ſhall be paid.

Recital 8 G. 3. c. 17. ſ. 1.

XVI. And whereas by an act made in the eighth year of the reign of his preſent Majeſty, entitled, *An act for erecting new chapels of eaſe in the pariſh of* Armagh, *and making ſuch chapels; and thoſe that are already erected in the ſaid pariſh, perpetual cures; and for making a proper proviſion for the maintenance of perpetual curates to officiate in the ſame*, it is by ſaid act among other things enacted, that it ſhall be lawful for his grace Richard, lord archbiſhop of Armagh, or his ſucceſſors archbiſhops of Armagh, to erect, or cauſe to be erected, new churches or chapels on the reputed antient ſites of the churches or chapels of the ſaid reſpective pariſhes, and one other church or chapel in the city or liberties of Armagh: and whereas ſince the making ſaid act it hath been found, that the building the ſaid churches and chapels, or ſome of them, on the ſites preſcribed and intended by that act, will create great inequalities in the reſpective diſtricts or new pariſhes, which ſhall belong to the cure of each of the ſaid new churches or chapels: for remedy whereof be it enacted by the authority aforeſaid, that it ſhall be lawful for his grace Richard, lord archbiſhop of Armagh, or his ſucceſſors, to erect, or cauſe to be erected, new churches or chapels either on the reputed antient ſites of the churches or chapels of ſaid reſpective pariſhes, or on any

building new churches on ſites there preſcribed will create inequalities in the new pariſhes,

the archbiſhop of Armagh may erect new churches or chapels either on reputed antient or

other new ſites within the diſtricts of new pariſhes.

any other new ſites within the reſpective diſtricts or town lands of the ſaid intended new pariſhes, as to his grace Richard, lord archbiſhop of Armagh, or his ſucceſſors, ſhall ſeem moſt fit and convenient for the eaſe of the pariſhioners, and the decent celebration of divine worſhip.

Land occupiers as to every ceſs for church repairs or charges conſtrued inhabitants, whether reſident in the pariſh or not, and whether union or not.

XVII. And in order to prevent unneceſſary diſpute and expence be it enacted by the authority aforeſaid, that occupiers of lands within every pariſh in this kingdom ſhall as to every ceſs or tax for the repairing of any church or chapel, or for other neceſſary charges belonging to ſuch church or chapel, be and be conſtrued to be inhabitants within every ſuch pariſh, whether ſuch pariſh be a pariſh of itſelf, or be united to any other pariſh by epiſcopal union or otherwiſe, or whether ſuch occupiers do or do not reſide and dwell within ſuch pariſh.

XVIII. And whereas many cities and corporate towns in this kingdom by reaſon of the increaſe of the buildings and inhabitants therein require one or more places of worſhip beſides the mother church of the pariſh or pariſhes in ſuch corporate towns for the due accommodation of the ſaid inhabitants in their attendance on the ſervice of God within ſuch corporate towns, or the precincts thereof: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for any perſon or perſons, bodies politick or corporate, to allot and ſet apart any land, not exceeding one plantation acre, within any pariſh, city, or corporate town in this kingdom, or the precincts thereof, at any diſtance from the mother church of the ſaid pariſh or pariſhes, whereon it ſhall and may be lawful to and for any perſon or perſons, bodies politick and corporate, with the conſent of the archbiſhop or biſhop of the dioceſe, and the major part of the proteſtant inhabitants, aſſembled in veſtry, to erect and build a chapel or chapels on the ſaid lands ſo granted, or on any antient ſite, in which the liturgy and rites of the church of Ireland as by law eſtabliſhed are to be uſed and obſerved, and who are hereby enabled to ſettle and aſſure lands, tenements, tyths, or hereditaments in fee-ſimple, of the clear yearly value of thirty pounds a year, and not exceeding fifty pounds a year, for a proviſion or maintenance for a curate to officiate in every ſuch chapel and chapels, and his ſucceſſors for ever, as a perpetual endowment of ſuch chapel or chapels.

1 plantation acre may be allotted in any pariſh, city, or corporate town, or precincts, at any diſtance from the mother church,

and with conſent of dioceſan and majority in veſtry a chapel or chapels built, or on antient ſite,

and for perpetual endowment of a curate lands, &c. in fee ſettled of 30l. a year and not above 50l.

Chapels erected and endowed, perpetual cures and benefices.

XIX. And be it further enacted by the authority aforeſaid, that all and every ſuch chapel and chapels, which ſhall be erected and endowed by virtue of this act, ſhall be from thenceforth perpetual cures and benefices, and the curate and curates thereof reſpectively,

reſpectively, and their ſucceſſors, ſhall be bodies politick and corporate by ſuch name, as in the grant of ſuch endowment is mentioned. A. D. 1771-2.

Perſons, erecting and endowing, true patrons,

XX. And be it enacted by the authority aforeſaid, that all and every perſon and perſons, bodies politick and corporate, who have erected, or ſhall ſo erect and endow, any ſuch chapel or chapels, ſhall from thenceforth be the true and only patron or patrons of ſuch chapel or chapels, and the ſole right of preſentation or nomination thereto ſhall be for ever after veſted in them, their heirs and ſucceſſors reſpectively; and the ſaid endowed curacies, and the patronage thereof, ſhall be ſubject to the ſame proviſions and limitations, as curacies endowed by virtue of the ſtatute of the firſt year of his late Majeſty King George the ſecond, chapter the eighteenth, are now ſubject; and ſuch chapels of eaſe ſhall be kept in repair in the manner, preſcribed for keeping chapels of eaſe in repair erected in cities or corporate towns by the act of the firſt year of his late Majeſty King George the ſecond, chapter the twenty ſecond.

have ſole right of preſentation,

ſubject as curacies endowed by 1 *G.* 2. c. 18.

chapels of eaſe repaired as by 1 *G.* 2. c. 22.

CHAP. XVII.

An act for rendering more effectual the ſeveral laws for the better enabling the clergy, having cure of ſouls, to reſide upon their benefices, and to build on their reſpective glebe lands, and to prevent dilapidations; and for the encouragement of proteſtant ſchools within this kingdom of Ireland.

WHEREAS doubts have been conceived, whether if any archbiſhop or biſhop, or other eccleſiaſtical perſon, ſhall purchaſe houſes ready built, or lands fit for ſuch buildings, in purſuance of an act paſſed in the tenth year of King William the third, intitled, *an act to encourage building of houſes, and making of other improvements on church lands, and to prevent dilapidations*, ſuch archbiſhop, biſhop, or other eccleſiaſtical perſons, are intitled to receive ſuch proportions of the expences attending ſuch purchaſe and improvements, as they would be entitled to under an act paſſed in the twelfth year of his Majeſty King George the firſt, intitled, *an act to explain and amend the aforeſaid act*, in caſe they had built houſes upon their demeſne, glebes, or menſal land: to remove which doubts be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament

To remove doubts on 10 *W.* 3. *c.* 6.

eccleſiaſticks purchaſing houſes, or lands fit for building, as in 10 *W.* 3. *c.* 6. on certificate as by 12 *G.* 1. *c.* 10.

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liament aſſembled, and by the authority of the ſame, in all caſes hereafter where any archbiſhop, biſhop, or other eccleſiaſtical perſon, ſhall purchaſe to them and their ſucceſſors reſpectively houſes already built with conveniencies thereto belonging, or lands fit for ſuch buildings, with the conſents and for the purpoſes mentioned in the foreſaid act of the tenth year of King William the third, that the purchaſe money for the ſame, and the expence of buildings, additions, and repairs being aſcertained, and a certificate granted in the manner directed by the foreſaid act of the twelfth of George the firſt, ſhall be repaid by the ſucceſſors of ſuch archbiſhop, biſhop, and other eccleſiaſtical perſon reſpectively, in the proportions, at the times, and in the manner directed by the laſt mentioned act.

repaid by ſucceſſors as therein directed.

II. And be it enacted by the authority aforeſaid, that a fee farm leaſe, or a leaſe of lives with a covenant of renewal for ever, ſhall be deemed and taken to be a purchaſe within the intention and meaning of this act; and that a ground rent may be reſerved out of the premiſſes ſo purchaſed.

Fee-farm leaſe, or for ever, deemed purchaſe, ground rent may be reſerved.

III. And whereas by an act of parliament, made in this kingdom in the twelfth year of the reign of King George the firſt, intitled, *an act to explain and amend an act*, intitled, *an act to encourage building of houſes, and making other improvements on church lands, and to prevent dilapidations*, it is amongſt other things enacted, that every archbiſhop, biſhop, and other eccleſiaſtical perſon whatſoever, who ſhould from and after the firſt day of May in the year of our lord one thouſand ſeven hundred and twenty ſix make, build, add to, erect, or repair any houſe, out houſes, garden, or other neceſſary improvement on his demeſne, glebe, or menſal lands, in the manner therein directed, for which a certificate ſhould be obtained, as by the ſaid act is appointed, ſuch archbiſhop, biſhop, or other eccleſiaſtical perſon, his executors or adminiſtrators reſpectively, ſhould from his next and immediate ſucceſſor have and receive three fourths of the ſum or ſums ſo certified for; provided that no certificate be granted for a greater ſum than two years clear income of the benefice: and whereas the firſt improvers, who erect buildings and make other improvements on their demeſne, glebe, or menſal lands, are often contrary to their intention induced by the great uncertainty of eſtimates, however carefully made, to lay out ſums of money greatly exceeding two years income of their benefice, and muſt be liable to all loſſes, that may happen by any failure or miſconduct in the artificers or conductors of ſuch works, whereby they become greater loſers by their buildings and improvements, than the law

intends, they ſhould be, and are alſo at great trouble in carrying on ſuch buildings and improvements, and are put to an expence, to which their ſucceſſors are not ſubject, in providing proper places of habitation for their reſidence, before the intended buildings are compleated and fit for their reception; and are alſo neceſſarily obliged to advance greater ſums of money than any of their ſucceſſors: be it therefore enacted by the authority aforeſaid, that in all caſes where any archbiſhop, biſhop, or other eccleſiaſtical perſon, ſhall from and after the paſſing of this act obtain a certificate for erecting new buildings, or for making other neceſſary improvements, on a new ſite within his demeſne, glebe, or menſal lands, in ſuch manner as is by the ſaid in part recited act directed, ſuch archbiſhop, biſhop, or other eccleſiaſtical perſon, his executors or adminiſtrators reſpectively, ſhall from his next and immediate ſucceſſor inſtead of three fourths of ſuch ſum have and receive the full ſum comprized and ſpecified in ſuch certificate; provided always, that ſuch ſum ſhall not exceed the clear value of two years income.

On certificate for new buildings, or neceſſary improvements on new ſite, in demeſne, glebe, or menſal lands, as by 12 *G.* 1. *c.* 10. inſtead of 3-4ths, the full ſum in certificate received from next ſucceſſor, not exceeding two years income, *if compleated, 13 and 14 G. 3. c. 27. ſ. 6. extended to free ſchools, ſ. 7.*

IV. Provided alſo, and it is hereby expreſsly declared, that this act ſhall not extend, nor be conſtrued to extend, to any repairs, additions, or improvements, which ſhall be made to any buildings or other improvements, which have been formerly made; but every ſuch archbiſhop, biſhop, and other eccleſiaſtical perſon, making ſuch repairs, additions, and improvements as aforeſaid, ſhall receive the ſame proportion of the money expended, to which they were intitled before the making of this act; and ſuch ſucceſſor, having paid the ſum ſo certified as aforeſaid, he, or his executors or adminiſtrators reſpectively, ſhall be intitled to and receive three fourths thereof from his next ſucceſſor; which ſucceſſor having paid the ſaid three fourths of the ſaid firſt ſum, he, or his executors or adminiſtrators reſpectively, ſhall be intitled to and receive two thirds thereof, that is one moiety of the ſum firſt certified from his next ſucceſſor, which ſucceſſor having paid the ſaid moiety of the ſaid firſt ſum, he or his executors or adminiſtrators ſhall be intitled to and receive from his next ſucceſſor one half thereof, that is one fourth part of the ſum or ſums in the firſt certificate mentioned; all which ſums, ſo to be paid and received, ſhall and may be paid and recovered within the times, and in the ſame manner, as is appointed by the ſeveral laws now in being relative to the payment and recovery of money laid out in buildings and improvements, made on the demeſne or menſal lands and glebes of archbiſhops, biſhops, or other eccleſiaſtical perſons.

Not extended to repairs, or improvements to buildings formerly made, the ſame proportion of money expended as before,

3-4ths from next ſucceſſor,

2-3ds the next,

the next 1-4th,

paid as by the ſeveral laws in being.

V. Pro-

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V. Provided always, and be it enacted by the authority aforesaid, that such ſucceſſor to the perſon, who obtained the ſaid certificate, ſhall pay the three fourths of the ſums ſo certified in the proportions, at the times, and in the manner, as is directed by the ſaid in part recited act, but ſhall not be compellable to pay the laſt remaining fourth part of the ſum, ſo certified and made payable by this act, until the end of two years, to be computed from the time he became chargeable with the payment of the whole ſum of money certified as aforeſaid.

The 3-4ths paid as by 12 *G.* 1. *c.* 10, the remaining 4th by this act not till 2 years.

VI. And whereas by the ſaid laſt mentioned and in part recited act it is enacted, that when any certificate ſhall be given or made out for any ſum or ſums of money to be charged on any archbiſhoprick, biſhoprick, or other eccleſiaſtical living, for any buildings or improvements, ſuch certificate ſhall contain a true account of the true yearly value or income of the ſaid archbiſhoprick, biſhoprick, or eccleſiaſtical living, as the ſame ſhall be proved to be before ſuch perſons reſpectively, who ſhall grant ſuch certificate, whoſe judgment therein ſhall be final, and that the ſaid yearly value or income ſhall be computed of that particular eccleſiaſtical living only, whereon ſuch buildings or improvements are made, and no other, unleſs there be a real union by or purſuant to any act of parliament of the ſaid living with other livings, from which it is inſeparable: and whereas ſeveral livings or benefices have for time immemoral been appropriated to or annexed to deanries, archdeaconries, or prebends, or for the conſolidation and appropriation whereof royal charters have been granted: be it further enacted by the authority aforeſaid, that where any buildings and improvements have been or ſhall be made on any glebe or menſal lands belonging to any dean, archdeacon, prebendary, or other dignitary, or on the lands belonging to any benefice, rectory, or vicarage, which have been united or conſolidated to ſuch dignities from time immemorial, or for the conſolidation and appropriation whereof royal charters have been granted, though the evidence of ſuch conſolidations and appropriations is now loſt by the length of time, and the troubles of this kingdom, that then and in all ſuch caſes the whole value of all ſuch dignities, and the ſeveral livings thereto united, annexed, or appropriated, ſhall be included and inſerted in the valuation, and in the certificate granted or to be granted for ſuch buildings and improvements.

By 12 *G.* 1. *c.* 10. *ſ.* 1, in the certificate the value of the particular living only computed unleſs a real parliamentary union,

on improvement on lands of dignities, or livings conſolidated thereto immemorially, or by royal charter, tho' the evidence loſt, the whole value of ſuch dignities and livings united inſerted in the valuation and certificate.

VII. And whereas ſeveral of the glebe houſes formerly erected in this kingdom have been built of bad materials, and are ſo ill contrived and ſituated, as that they require to be rebuilt, which

in

in many places cannot conveniently be done by reaſon of the bad ſituation thereof; and a doubt hath ariſen, whether the ſite of ſuch old houſes may be changed, and a new houſe built in any other place, within the intent and meaning of the former laws for building and improving on glebe lands, ſo as to intitle the incumbent, that ſhall build ſuch new houſes, to the encouragement given in the ſaid acts: for clearing of which doubts, and for the further encouragement of building new houſes on new ſites, and the better execution of the ſaid acts, be it further declared and enacted by the authority aforeſaid, that it ſhall and may be lawful for any eccleſiaſtical perſon, having any benefice with cure of ſouls, with the conſent and approbation of the archbiſhop or biſhop of the dioceſe, ſignified by writing under his hand and ſeal, to change the ſite of the glebe houſe to ſuch benefice belonging, and to make, build, or erect a new glebe houſe, outhouſes, orchards, gardens, and other neceſſary improvements on any other part of his glebe land belonging to his benefice, that ſhall be more fit and convenient for the reſidence of him and his ſucceſſors; and that ſuch eccleſiaſtical perſons, who ſhall build and improve in manner aforeſaid, or have already built and improved, on a new ſite, and have procured or ſhall procure ſuch certificate, as is directed by the ſaid former acts, ſhall be intitled to all the encouragements, and ſhall and may have, take, receive, and recover all ſuch ſum and ſums of money, as he or they would or might be intitled to have and receive for the building ſuch houſe, and making ſuch improvements by the ſaid former acts and by this preſent act; and that the immediate ſucceſſors of ſuch incumbents, and their ſucceſſors reſpectively, and their reſpective executors or adminiſtrators, ſhall be intitled to and ſhall and may have and receive ſuch proportions of the ſum and ſums of money, laid out and expended in erecting ſuch new houſe and making other improvements, as they would be reſpectively intitled to by virtue of the ſaid former acts or this act; the ſaid ſeveral and reſpective ſums, to be received and recovered at ſuch times, and in ſuch manner, and by ſuch ways and methods, as eccleſiaſtical perſons are enabled by the ſaid former acts and by this act to recover any ſum or ſums of money laid out in building and making other improvements on their glebe lands.

Site of glebe houſe may with dioceſan's conſent be changed, a new one with neceſſary improvements erected on more convenient part, and on certificate intitled to all encouragement, and to receive ſuch ſums, as by the former and this act,

VIII. Provided that no eccleſiaſtical perſon, who at the time of his building or improving on ſuch new ſite ſhall have a manſion houſe on his glebe, ſhall be intitled to or have any certificate for ſuch new building or improvements, until he ſhall execute and perfect a good and ſufficient releaſe and diſcharge of all demands whatſoever,

All demands for building or improving the houſe changed releaſed.

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whatſoever, that he, his executors, or adminiſtrators might or could have had, or be intitled unto, for or on account of the building or improving of that houſe, whereof the ſite ſhall be changed purſuant to this act.

Not obliged to repair the former glebe houſe,

IX. Provided alſo, that no eccleſiaſtical perſon, that has changed or ſhall change the ſite of his glebe houſe, and make new buildings and improvements, ſhall, from the time he ſhall ſo build and improve, be obliged to keep the former glebe houſe or outhouſes thereunto belonging in repair, or be chargeable with dilapidations for not repairing thereof.

On dilapidation by neglect of incumbent or predeceſſors, after a commiſſion and aſcertaining as by 8 *G.* 3. *c.* 9, a monition iſſued to repair,

X. And for the more effectual prevention of dilapidations of glebe houſes and other improvements, made upon church lands, be it further enacted by the authority aforeſaid, that in all caſes whatſoever where any dilapidations have happened either by neglect of the incumbent, or any of his predeceſſors, and that the glebe houſes or other improvements are out of repair, or in a ruinous or decayed condition for want of the proper, annual, and neceſſary repairs, that then and in all ſuch caſes it ſhall and may be lawful to and for the ſeveral archbiſhops and biſhops within their reſpective dioceſes (after ſuch commiſſion has iſſued, and ſuch ſteps have been taken to aſcertain ſuch ſums as ſhall be adjudged reaſonable to be expended for the repair of ſuch dilapidations, as by an act made in the eighth year of his preſent Majeſty, intitled, *An act for explaining and amending an act paſſed in the ſecond year of His Majeſty King George the firſt*, intitled, *An act for the real union and diviſion of pariſhes, and for other purpoſes therein mentioned*, and the laws now in force in this kingdom are directed) to iſſue a monition under their archiepſcopal or epiſcopal ſeals to the incumbent of any ſuch benefice or other eccleſiaſtical preferment, where ſuch dilapidation hath ſo happened, admoniſhing ſuch incumbent within a certain time to be ſpecified in ſaid monition effectually to repair all ſuch defects, as have ſo happened by means of ſuch dilapidations as aforeſaid, and to reſtore the ſame, and put the ſaid houſe and other improvements in ſuch ſtaunch and habitable order and condition, as that the ſame may be fit and proper for the reſidence of the incumbent and his ſucceſſors; and in caſe the incumbent after being duly ſerved with ſaid monition ſhall refuſe or neglect to obey the ſame, that then and in all ſuch caſes it ſhall and may be lawful to and for the ſeveral archbiſhops and biſhops within their reſpective dioceſes, and they are hereby ſpecially required, to put one moiety of the rents and profits of ſuch benefice or other eccleſiaſtical preferments under ſequeſtration, until a ſum ſhall be received ſufficient

on neglect a moiety ſequeſtered,

till ſufficient received,

ficient to anſwer the purpoſes of ſaid monition, and to put ſuch houſe or other improvements in ſtaunch and habitable order and condition, ſo as to be fit and proper for the reſidence of the incumbent and his ſucceſſors; and every ſuch incumbent, or, in caſe a vacancy ſhall happen, every ſucceſſor of ſuch incumbent, ſhall effectually repair all ſuch defects, as were ſpecified in the ſaid monition, and ſhall receive from time to time from ſuch ſequeſtrator ſuch ſums of money, as ſhall be neceſſary to compleat ſuch repairs, and in the ſpace of twelve months ſhall produce proper vouchers to the archbiſhop or biſhop of the dioceſe reſpectively, that the ſum of money, raiſed in manner aforeſaid, has been juſtly laid out in ſuch repairs.

incumbent, or on vacancy ſucceſſor, ſhall effectually repair defects in the monition, receive money from ſequeſtrators, and in 12 months vouch to dioceſan,

XI. Provided always, that nothing in this act contained ſhall extend, or be conſtrued to extend, to take away from the force of any law or ſtatute now in being in this kingdom to prevent dilapidations; but that the ſame ſhall continue in full force, as if this act had never been made, unleſs where the ſame are altered or amended by this preſent act.

Former laws againſt dilapidation in force, ſave as altered.

XII. And whereas by an act of parliament made in the twelfth year of the reign of King George the firſt, intitled, *An act for the more effectual erecting and better regulating of free ſchools, and for rebuilding and repairing of churches*, after reciting that moſt of the lands, that were granted by King Charles the firſt to James, then lord archbiſhop of Armagh, and his ſucceſſors, in truſt for the maſters of ſeveral free ſchools for the time being, did to the great diſadvantage of the country continue unimproved, becauſe the tenants holding ſuch lands could not have a certain intereſt therein for any term of years; it is among other things for the reaſons aforeſaid enacted, that it ſhould and might be lawful to and for the archbiſhop of Armagh and his ſucceſſors by and with the conſent of the reſpective ſchoolmaſters, teſtified by their being parties and ſigning ſuch leaſe or leaſes, to demiſe, ſet, and to farm let, all or any part of the ſaid lands for any term not exceeding twenty one years, and for no longer term, from the making thereof, at and under the beſt and moſt improved rent that could be got for the ſame, to be reſerved to the ſaid archbiſhop and his ſucceſſors in truſt for the maſters of the ſaid reſpective ſchools for the time being, ſo as there be no other leaſe in being, which ſhould not expire within one year from the making ſuch leaſe or leaſes: and whereas there are not fit and convenient houſes for the reſidence of ſuch maſters, and for the reception and accommodation of ſcholars, or perſons to be inſtructed by them, owing in a great meaſure to the want of

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power in ſuch archbiſhop with the like conſent from time to time to renew the leaſes, or to make new leaſes of the ſaid lands: for remedy whereof be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for Richard archbiſhop of Armagh and his ſucceſſors in truſt as aforeſaid from time to time, and at all times, by and with the conſent of the reſpective ſchoolmaſters, teſtified by their being parties and ſigning ſuch leaſe or leaſes, to demiſe, ſet, and to farm let, all or any part of the ſaid lands for any term not exceeding twenty one years, and for no longer term, from the making thereof; upon which leaſe and leaſes ſhall be reſerved and continued due and payable unto the ſaid archbiſhop and his ſucceſſors during the ſaid term of twenty one years ſo much yearly rent or profits, at the peril of the leſſees who ſhall take the ſame, as the three fourths of the true value of the ſaid lands at the time of making ſuch leaſe ſhall amount unto, as the ſame ſhall or may hereafter appear upon a legal trial between the ſucceſſors of ſuch leſſor or leſſors, if they ſhall queſtion the ſame, and the ſaid leſſees or their aſſignees, by verdict of twelve indifferent perſons at the common law, which verdict ſhall be peremptory to both parties and their reſpective ſucceſſors and aſſigns during ſaid term; in which leaſes ſhall be contained no power, liberty, or privilege for ſuch leſſees or their aſſignees to commit waſte, or to be diſpuniſhable of waſte.

Archbiſhop of Armagh with conſent of ſchoolmaſters, parties, may leaſe not above 21 years from making, reſerving rent at peril of leſſees 3-4ths of true value,

aſcertained by verdict peremptory to both parties,

no power to leſſees to waſte,

XIII. Provided, that whatſoever fine or ſum of money ſhall be given for or on account of every or any leaſe, or renewal of a leaſe, of any of ſaid lands, ſhall be paid to the ſaid archbiſhop and his ſucceſſors, to be laid out by him and them with the conſent of the reſpective maſters of ſuch ſchools in building and repairing houſes for the reſidence of ſuch maſters, and for the reception and accommodation of ſcholars, or perſons to be inſtructed by them, or otherwiſe for the uſe and benefit of ſuch ſchools.

Renewal fines paid to archbiſhop for building or repairing ſchool houſes or otherwiſe for the ſchools.

CHAP. XVIII.

17 & 18 G. 3. c. 38.

An act for the regulation of the city of Cork, *and for other purpoſes therein mentioned, relative to the ſaid city.*

WHEREAS money for erecting and ſupplying of publick lights in the city of Cork, and for diſcharge of preſentments granted at the aſſizes for the county of the ſaid city for the repairing of roads, ſtreets, and other publick uſes, and for diſcharge

diſcharge of pariſh rates made at the veſtries in the pariſhes of the ſaid city of Cork, and payment of clerk's dues, hath by the laws now in force been raiſed and levied according to the reputed ſubſtance and circumſtances of the inhabitants of the ſaid city of Cork and the ſuburbs thereof: and whereas ſuch manner of raiſing and levying money hath been found burthenſome on many individuals, and the ſame tends to hurt the publick credit of merchants and other traders in the ſaid city of Cork by cauſing inquiries to be made into their reſpective circumſtances and fortunes: for remedy whereof be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of July next it ſhall and may be lawful to and for the mayor, ſheriffs, and common council of the city of Cork to aſſemble at ſuch time or times, as they ſhall ſee moſt neceſſary, and that they or the majority of them ſo aſſembled ſhall by one or more order or orders under their hands, or the hands of the majority of them, appoint two or more inhabitants of each of the pariſhes of the ſaid city of Cork, to wit, the pariſh of the Holy Trinity otherwiſe called Chriſt Church, the pariſh of ſaint Peter, the pariſh of ſaint Paul, the pariſh of ſaint Mary Shandon, the pariſh of ſaint Ann's, the pariſh of ſaint Finbarry, and the pariſh of ſaint Nicholas, to be valuators for the purpoſes herein after mentioned; and that ſuch valuators, or any ſeven or more of them, ſhall have full power, and are hereby required, to value and aſcertain diſtinctly and ſeparately the yearly value of each dwelling-houſe, outhouſe, office, cellar, ſtable, linney, and yard in the ſaid ſeveral pariſhes, and ſhall after making ſuch valuations reduce the ſame to writing, diſtinguiſhing the valuation of each pariſh by itſelf; and that ſuch valuators, or any ſeven or more of them, ſhall in ſuch valuation mention the names of the immediate tenants or occupiers of the reſpective premiſſes ſo valued; and that upon the completion of the valuation of each of the ſaid pariſhes the ſaid valuators, or any ſeven or more of them, ſhall return the ſame in writing under their hands and ſeals to the mayor of the ſaid city of Cork for the time being; and the ſaid valuations ſo to be made ſhall, when made, be depoſited in the office of the town clerk of the ſaid city of Cork, there to remain as publick records for the inſpection of the inhabitants of the ſaid city of Cork and the liberties thereof; and that other copies of the ſaid valuations, atteſted by the town clerk of the ſaid city, ſhall with all

Mayor, ſheriffs, and common council of Cork may by order appoint valuators of each pariſh,

the valuation, and appointment of valuators hereby, annulled and another appointed, 17 & 18 G. 3. c. 38.

7 to value ſeparately houſes, &c.

reduced to writing,

tenants named,

return to mayor,

depoſited with town clerk,

atteſted copies to treaſurer,

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all convenient ſpeed be delivered to the treaſurer of the county of the ſaid city of Cork; and that other copies of the ſaid valuations, atteſted by the ſaid town clerk, ſhall with all convenient ſpeed be delivered to the perſons or one of the perſons, that ſhall be the contractors or contractor for erecting, ſupplying, and maintaining publick lights in the ſaid city of Cork; and that a copy of the valuation of each of the ſaid pariſhes, atteſted by the ſaid town clerk, ſhall with all convenient ſpeed be delivered to the reſpective churchwardens of the ſaid pariſh, or one of them, to be kept amongſt the veſtry books of the ſaid pariſh, ſo that each pariſh may be in the poſſeſſion of its own valuation: and that copies of ſuch valuations, atteſted by the ſaid town clerk, ſhall in all courts and upon all occaſions be deemed full and ſatisfactory evidence of ſuch valuations.

to light contractors,

to reſpective church-wardens,

ſuch copies evidence.

II. And whereas many houſes, outhouſes, offices, cellars, and ſtables in the ſaid city of Cork and the liberties thereof have been built a long time, and are in a ruinous and decaying ſtate, by means whereof the preſent yearly value of them may be aſcertained at a very low rate: and whereas the ſame in proceſs of time may be rebuilt: and whereas many of the outhouſes, offices, cellars, ſtables, yards or linneys in the ſaid city of Cork and the ſuburbs thereof may be hereafter converted into dwelling houſes, or other houſes or offices of more profit or yearly value, than they may be aſcertained at in the firſt valuation of them to be made under this act: and whereas many plots or pieces of ground in the ſaid city of Cork and the ſuburbs thereof may be waſte at the time of the ſaid valuation, and afterwards dwelling houſes, outhouſes, offices, cellars, ſtables, yards, or linneys may be built thereon: therefore be it further enacted by the authority aforeſaid, that whenever any dwelling-houſe, outhouſe, office, cellar, or ſtable, ſhall be rebuilt or enlarged in the ſaid city of Cork or the ſuburbs thereof, or any new dwelling houſe, outhouſe, office, cellar, ſtable, linney, or yard ſhall be erected or built in the ſaid city of Cork or the ſuburbs thereof, or any outhouſe, office, cellar, ſtable, or linney ſhall be changed into a dwelling houſe, or other houſe or office, that the ſaid mayor, ſheriffs, and common council of the ſaid city of Cork for the time being, or the majority of them in common council aſſembled, ſhall direct, that the valuators to be ſo appointed purſuant to this act, or any ſeven or more of them, ſhall value and aſcertain the yearly value of ſuch newly erected, rebuilt, or enlarged houſe, and the yearly value of ſuch new built or erected dwelling houſe, outhouſe, office, cellar, ſtable, linney, or yard,

new valuation of houſes rebuilt enlarged or newly erected,

and of ſuch dwelling houſe, or other houſe or office, made out of ſuch outhouſe, office, cellar, ſtable, or linney; and that ſuch valuation ſhall be inſerted in or added to the original valuation of the pariſh, in which ſuch houſe ſhall be rebuilt or enlarged, or ſuch new dwelling houſe, outhouſe, office, cellar, ſtable, yard, or linney, ſhall be built or erected, or ſuch outhouſe, office, cellar, ſtable, or linney ſhall be ſo changed; and the ſaid valuators, or any ſeven or more of them, are hereby impowered and required to make ſuch ſeveral new valuations, as are herein before mentioned, accordingly; and ſuch new valuations ſhall, from the reſpective times of their being inſerted in or added to the ſaid original valuations, be deemed and taken as part of ſaid original valuations.

added to the original.

III. And whereas the ſaid valuators, or ſome of them, may die, or remove from the pariſh, for which he or they may be appointed valuator or valuators: therefore be it further enacted by the authority aforeſaid, that the mayor, ſheriffs, and common council of the ſaid city of Cork for the time being, or the majority of them in common council aſſembled, ſhall from time to time, as occaſion ſhall require, by ſuch order or orders as aforeſaid appoint one or more valuator or valuators in ſuch of the ſaid pariſhes in the room and ſtead of ſuch valuator or valuators, as ſhall ſo happen to die or remove from ſuch pariſh, and that ſuch new valuators and valuator, ſo to be appointed, ſhall have like power and authority with any of the ſaid other valuators herein before mentioned.

On death or removal, others appointed.

IV. And be it further enacted by the authority aforeſaid, that the herein before mentioned valuators ſhall have full power to enter in the daytime into and upon any dwelling houſe, outhouſe, office, cellar, ſtable, linney, or yard in the city of Cork, and the ſuburbs thereof, and to inſpect the ſame in order the better to aſcertain the true yearly value thereof.

May enter by day to inſpect,

V. Provided always, and be it further enacted by the authority aforeſaid, that after the appointment of the ſaid valuators, or any of them, by the mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them in common council aſſembled, the ſaid valuators ſo appointed ſhall be ſummoned to appear at ſome court of quarter-ſeſſions of the peace to be held for the county of the ſaid city of Cork, or at ſome adjournment of ſuch court, and that then and there in open court at ſuch quarter-ſeſſions of the peace, or adjourment thereof, each of the ſaid valuators ſhall take the following oath, to wit,

Oath by valuators at quarter ſeſſions.

altered 17 & 18 *G.* 3. *c.* 38.

I. A. B.

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I A. B. *do ſwear, that I will to the beſt of my knowledge, ſkill, and judgment, value or aſcertain the true yearly value of every dwelling houſe, outhouſe, office, cellar, ſtable, linney, and yard in the ſaid city of* Cork, *and the ſuburbs thereof, without favour or affection, malice, or ill-will to any perſon or perſons whatſoever; and that I will make a true and juſt return to the mayor of the ſaid city of ſuch valuation ſo made, and no other.*

which oath the ſaid court is hereby authorized to adminiſter. And in caſe any of the ſaid valuators ſhall refuſe or neglect to appear at ſuch court of quarter-ſeſſions of the peace, or at any adjournment thereof, purſuant to ſuch ſummons, or appearing ſhall refuſe or omit to take the aforeſaid oath, the ſame being tendered to him, that then it ſhall and may be lawful to and for ſuch court of quarter-ſeſſions of the peace to impoſe a fine, not exceeding twenty pounds, and not leſs than five pounds, on ſuch valuators as ſhall ſo refuſe or neglect to appear, or appearing, ſhall refuſe or omit to take the ſaid oath, the ſame being tendered to him; and that ſuch court of quarter-ſeſſions ſhall cauſe proceſs in the nature of an execution to iſſue againſt the valuator ſo fined as aforeſaid, directed to the ſheriffs of the county of the city of Cork, to levy off the goods and chattles of ſuch valuator the amount of the ſaid fine, which fine, when levied, the ſaid ſheriffs are hereby required to pay over to the governors of the work-houſe of the city of Cork, for the uſe of the ſaid work-houſe.

or fined not above 20l. nor under 5l.

and proceſs iſſued,

for the work-houſe.

Reſummoned and fined *toties.*

VI. And be it further enacted by the authority aforeſaid, that ſuch valuator, as ſhall be fined as aforeſaid, ſhall be reſummoned to appear at ſome future day, at ſuch court of quarter-ſeſſions of the peace, or at ſome adjournment thereof; And in caſe he ſhall refuſe or neglect to appear purſuant to ſuch reſummons, or appearing, ſhall refuſe or omit to take ſuch oath, the ſame being tendered to him, that then it ſhall and may be lawful to and for the ſaid, or any ſubſequent court of quarter-ſeſſions of the peace, to impoſe another fine on ſuch valuator, not exceeding twenty pounds nor leſs than five pounds, to be levied and applied in manner aforeſaid, and ſo on, *toties quoties*, until ſuch valuator ſhall appear and ſubmit to take the ſaid oath.

Excuſed on oath of inability,

VII. Provided always, and be it further enacted by the authority aforeſaid, that if it ſhall appear by good and ſufficient proof upon oath to the juſtices at any court of quarter-ſeſſions of the peace to be held for the county of the city of Cork, or at any adjournment thereof, that any of the ſaid valuators, by age, infirmities, or failure in circumſtances, is rendered unfit to execute

cute the ſaid office of valuator, that then it ſhall and may be lawful to and for the perſon or perſons ſo preſiding at any ſuch court of quarter-ſeſſions of the peace, or at any adjournment thereof, to excuſe ſuch perſon from executing the ſaid office of valuator, and that the juſtices at ſuch court of quarter-ſeſſions of the peace, or at any adjournment thereof, ſhall certify to the mayor, ſheriffs, and common council of the ſaid city of Cork, that ſuch perſon hath been excuſed from ſerving the ſaid office of valuator, and the reaſon of ſuch excuſe, and that the mayor, ſheriffs, and common council of the ſaid city of Cork for the time being, or the majority of them, in common council aſſembled, ſhall thereupon by ſuch orders or order as aforeſaid, appoint another valuator in the pariſh, and in the place of the valuator ſo excuſed, which valuator ſo appointed ſhall have the like power and authority with any of the other valuators herein before mentioned.

certified with the reaſon,

and another appointed.

VIII. Provided always, and be it enacted by the authority aforeſaid, that if any perſon of the profeſſion of the people called quakers ſhall be appointed to be one of the ſaid valuators, that the ſolemn affirmation of the ſaid perſon ſhall be taken in lieu of the aforeſaid oath, which affirmation ſuch court is hereby authorized to adminiſter.

Quakers may affirm.

IX. Provided alſo, and be it enacted by the authority aforeſaid, that in caſe any of the ſaid valuators ſhould not within two months after his or their being appointed a valuator or valuators take upon him or them the office of valuator or valuators, and take the aforeſaid oath or affirmation, as the caſe may be, that then and in ſuch caſe it ſhall and may be lawful for the mayor, ſheriffs, and common council of the ſaid city, aſſembled as aforeſaid, or the majority of them by ſuch orders or order as aforeſaid, to appoint other valuators or valuator, in the reſpective pariſhes in the places or place of ſuch valuators or valuator, as ſhall not take the ſaid oath or affirmation within the aforeſaid time, and that ſuch valuators or valuator, ſo to be appointed, ſhall have like power and authority as the other valuators herein before mentioned.

Other valuators appointed on neglect 2 months.

X. Provided alſo, that none of ſaid valuators ſhall act as valuator or valuators, until he or they ſhall take the ſaid oath or affirmation, as the caſe may be.

Not to act till oath.

XI. And be it further enacted by the authority aforeſaid, that the ſaid juſtices at any court of quarter-ſeſſions of the peace, to be held in and for the county of the city of Cork, or at any adjournment thereof, ſhall have power from time to time to ſummons ſuch of the ſaid valuators, as ſhall be ſo ſworn, or

Summoned to ſeſſions, and their progreſs inquired into,

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take ſuch affirmation as aforeſaid, to appear before them in open court, and then and there to make enquiry, in a ſummary way, by examination of ſuch valuators on oath, or on ſuch ſolemn affirmation, if the valuator be a quaker, which oath or affirmation, as the caſe may be, the ſaid court is hereby authorized to adminiſter, or by examination of witneſſes, what progreſs ſuch valuators have made in making the ſaid valuations: and that it ſhall and may be lawful to and for the ſaid court of quarter-ſeſſions of the peace to impoſe any fine not exceeding twenty pounds, nor leſs than five pounds, on any one or more of the ſaid valuators ſo ſworn to value, or ſo having taken ſaid ſolemn affirmation to value as aforeſaid, who ſhall refuſe or neglect to appear purſuant to ſuch ſummons, or who appearing, ſhall be found by the ſaid court of quarter-ſeſſions of the peace, upon ſuch enquiry to have been negligent in attending to and making the ſaid valuation within as convenient time as ſuch valuation ought to or might have been done; the ſaid fines to be levied and applied in the ſame manner as the other fines herein before mentioned are to be levied and applied.

fined on neglect, not above 20l. nor under 5l.

XII. Provided always, and be it further enacted by the authority aforeſaid, that the valuation of the ſaid ſeveral pariſhes in the ſaid city of Cork and the ſuburbs thereof by any ſeven or more of the ſaid valuators ſo appointed and ſworn, or having taken ſuch ſolemn affirmation, as the caſe may be, ſhall be good and valid to all intents and purpoſes whatſoever; notwithſtanding that ſome one or more of the valuators, ſo to be appointed as aforeſaid, ſhall not be ſworn into the ſaid office, or have taken the aforeſaid ſolemn affirmation, to value at the time the ſaid ſeven or more of the ſaid valuators, who ſhall be ſo ſworn, or ſhall have ſo taken the ſaid ſolemn affirmation to value, ſhall have made and returned the ſaid valuation.

Valuation by 7 ſworn good, tho' others not ſworn into office.

XIII. Provided alſo, and be it further enacted by the authority aforeſaid, that ſaid valuation or valuations be final and concluſive, ſave as herein before is excepted.

Valuation final ſave as excepted.

XIV. and whereas there are many cabbins and houſes in the ſaid city of Cork and the ſuburbs thereof, which are inhabited by labourers and others, poor people, who are unable to contribute to any of the publick taxes or charges of the ſaid city: be it therefore further enacted by the authority aforeſaid, that the ſaid valuators ſhall paſs over and not include in the ſaid valuation, ſo to be returned by them, any cabbin or houſe in the ſaid city of Cork or the ſuburbs thereof, which is or ſhall be under the yearly value of forty ſhillings, any thing in

Cabbin or houſe under 40s. yearly not included.

this act contained to the contrary thereof in any wiſe notwithſtanding.

XV. And be it further enacted by the authority aforeſaid, that all ſuch money, which ſhall be preſented to be raiſed by grand juries at the ſeveral aſſizes to be held for the county of the city of Cork, as would according to the laws now in force be applotted and raiſed upon the inhabitants of the ſaid city of Cork and the ſuburbs thereof according to their ſubſtance or reputed circumſtances, ſhall from and after the ſaid firſt day of July next be levied upon and paid by the tenants, owners, and occupiers of the houſes, outhouſes, offices, cellars, ſtables, yards, and linneys in the ſaid city and ſuburbs thereof rateably and in proportion to the valuations, to be made in manner aforeſaid of their reſpective houſes, outhouſes, offices, cellars, ſtables, yards and linneys.

Such preſentment, as would be applotted by reputed circumſtances, levied by ſuch valuations.

XVI. And be it further enacted by the authority aforeſaid, that the treaſurer of the county of the ſaid city of Cork ſhall with all convenient ſpeed after the end of every aſſizes, to be held for the county of the ſaid city, or at the fartheſt within one calendar month, to be computed from the laſt day of each of the ſaid aſſizes, iſſue his warrants under his hand and ſeal, directed to the ſeveral conſtables of the ſeveral pariſhes, quarters, and diſtricts in the ſaid city of Cork and the ſuburbs thereof, for the collecting and levying ſuch part of the money preſented to be raiſed at the then next preceding aſſizes, as heretofore would have been collected from and levied on the inhabitants of the ſaid city of Cork and the ſuburbs thereof according to their circumſtances or reputed circumſtances; and that in ſaid reſpective warrants ſhall be mentioned the proportion of ſaid money, that each of the ſaid tenants, occupiers, or owners ſhall be liable to for his dwelling houſe or dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards; and the ſaid conſtables are hereby impowered, authorized, and required to receive from the tenants, occupiers, or owners of the ſaid dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards, the ſums proportioned in the ſaid warrants on them reſpectively: and in caſe of nonpayment for two days after demand made by the ſaid conſtables, or any of them, on the reſpective tenants, occupiers, or owners of the ſaid dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards, for the payment of their reſpective proportions of ſaid money, that it ſhall and may be lawful to and for the ſaid conſtables reſpectively to enter into and upon the ſaid dwelling houſes, outhouſes, offices,

Treaſurer in a month after laſt day of aſſizes to iſſue warrants to conſtables to levy ſuch preſentments,

mentioning the proportion.

on nonpayment 2 days, to enter and diſtrain and ſell,

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offices, cellars, ſtables, linneys and yards reſpectively, and diſtrain any goods or chattles, that may be found upon the ſame, for the proportion of the ſaid money ſo charged on them reſpectively; and the diſtreſs or diſtreſſes ſo taken (if not redeemed in two days from the day of diſtraining, with the payment alſo of an Engliſh ſhilling for the trouble of ſuch diſtraining) to ſell by publick cant for the payment of the ſaid money, for which ſuch diſtreſs or diſtreſſes ſhall be ſo taken, together with one Engliſh ſhilling for the trouble of ſuch diſtraining, rendering the overplus (if any ſhall be) to the owner or owners of ſuch diſtreſs or diſtreſſes; and in caſe no ſufficient diſtreſs can be ſo had or found, or in caſe the premiſſes liable ſo to be diſtrained ſhall be kept locked or faſtened, ſo as that the conſtables ſhall be prevented from entering and diſtraining for the ſaid money, that then it ſhall and may be lawful to and for the treaſurer of the county of the ſaid city to ſummon the tenant or tenants, occupier or occupiers, owner or owners of the premiſſes, ſo locked or faſtened up, to appear before the mayor of the ſaid city, or any of the aldermen of the ward of the ſaid city, for the payment of the money ſo charged on the ſaid premiſſes, ſo locked or faſtened up; and in caſe of non-appearances of the party or parties ſo ſummoned, and proof made by oath or affidavit before the ſaid mayor or alderman reſpectively of ſuch parties having been ſummoned, which oath or affidavit the ſaid mayor and alderman are hereby reſpectively authorized to adminiſter, or in caſe of the appearance of ſuch party or parties, and refuſing to pay the money ſo due on the premiſſes ſo guarded, locked, or faſtened up, and to which ſuch parrty or parties ſhall be tenant or tenants, occupier or occupiers, owner or owners, together with four pence for the coſt of ſuch ſummons, that then it ſhall and may be lawful to and for the ſaid mayor, or ſuch alderman of the ward who granted the ſaid ſummons, to iſſue a warrant under his hand and ſeal in the nature of an execution, directed to the conſtables of the county of the ſaid city, or any one or more of them, or to ſome ſpecial conſtable to be appointed for that purpoſe, to levy of the goods and chattles of the party or parties ſo ſummoned, his, her, or their proportion of the ſaid money, together with the ſum of ten pence for the coſt of the ſaid ſummons and warrant, and the further ſum of one Engliſh ſhilling for the conſtable's trouble for levying the ſaid money; and the ſaid money ſo levied ſhall be paid immediately on the levying thereof to the ſaid treaſurer by the conſtable, who ſhall levy the ſame, together with the ſaid ſum of ten pence the

if not ſufficient diſtreſs, or doors locked, owner &c. ſummoned by treaſurer to appear before mayor or an alderman,

on default or refuſal levied by execution.

coſts

coſts of the ſaid ſummons and warrant; and the ſaid treaſurer ſhall pay over the ſaid ſum of ten pence to the ſaid mayor, or to the alderman of the ward, that ſhall have iſſued the ſaid ſummons and warrant.

No owner liable, where a yearly tenant in poſſeſſion.

XVII. Provided always, that no owner or owners ſhall be liable to be ſo ſummoned, or to pay any part of the ſaid money, when there is an actual yearly tenant in poſſeſſion of the premiſſes, out of which the ſaid money is refuſed or neglected to be paid.

Lands in north and ſouth liberties charged with preſentments as before.

XVIII. Provided always, and it is hereby declared, that nothing herein contained ſhall be conſtrued, deemed, or taken to exempt the lands in the north and ſouth liberties of the city of Cork from paying or being charged with their proportion of the money to be preſented to be raiſed at the ſeveral aſſizes to be held for the county of the ſaid city of Cork, but that the ſaid lands ſhall pay and be charged with their proportion of ſuch money in ſuch manner, and according to ſuch rate and computation, as heretofore, any thing in this act to the contrary notwithſtanding.

XIX. And whereas the lands in the ſaid north liberties of the city of Cork are compriſed in the county books of the county of the ſaid city, by the plowland, half plowland, and quarter plowland, with particular appellations to each: and whereas the high conſtables of the ſaid north and ſouth liberties, and the conſtables of the ſeveral pariſhes and diſtricts in the north and ſouth liberties acting under the ſaid high conſtables, are often obliged to diſtrain ſome one particular denomination of each of the ſaid plowlands, half plowland, or quarter plowlands, for the intire acreable tax or charge impoſed on ſuch plowland, half plowland, and quarter plowland: therefore be it further enacted by the authority aforeſaid, that the perſon or perſons, who ſhall be diſtrained for and ſhall pay the whole of ſuch tax or charge ſo impoſed on the ſaid plowland, half plowland, or quarter plowland, ſhall be intitled to receive from the other tenants or occupers of the ſaid plowland, half plowland, or quarter plowland, his, her, or their dividend of the ſaid acreable tax or charge according to the number of the ſtatute acres, that he, ſhe, or they ſhall hold, poſſeſs, or enjoy, and ſhall recover the ſame from ſuch perſon or perſons in caſe of refuſal of payment by civil bill, at the aſſizes to be held for the county of the ſaid city of Cork, if above the ſum of forty ſhillings, or before the mayor of the ſaid city of Cork, or one of the aldermen of the ward of the ſaid city of Cork, if under the ſum of forty ſhillings

Perſons diſtrained for the whole plowland tax &c. to recover dividend from other occupiers, by civil bill, if above 40s.

if under, ſummarily.

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lings, according to the ſummary juriſdiction eſtabliſhed by act of parliament in the ſaid city of Cork, together with reaſonable coſts of ſuit.

Treaſurer's ſalary 80l. inſtead of 40l.

XX. And whereas the treaſurer of the county of the ſaid city of Cork will have great trouble in receiving and paying the publick money appointed to be raiſed at the ſeveral aſſizes to be held for the county of the ſaid city of Cork, and alſo in making out liſts and warrants for the ſeveral conſtables in the ſeveral pariſhes in the ſaid city of Cork, and the ſuburbs thereof, and the high conſtables for the north and ſouth liberties of the ſaid city of Cork: And whereas the preſent ſalary of forty pounds a year is an inadequate reward for ſuch trouble: therefore be it further enacted by the authority aforeſaid, that the treaſurer of the county of the ſaid city of Cork for the time being may from and after the firſt day of July next receive a ſalary not exceeding eighty pounds a year inſtead of the preſent ſalary of forty pounds a year: and that the grand jury of each of the ſaid aſſizes, to be held for the county of the ſaid city of Cork after the ſaid firſt day of July next, may preſent a ſum not exceeding forty pounds to be raiſed and paid to the treaſurer of the county of the ſaid city of Cork for the time being in full for his half a year's ſalary due at ſuch aſſizes.

Publick lights regulated in council chamber,

XXI. And whereas the ſeveral laws, heretofore made for erecting and maintaining publick lights in the ſaid city of Cork and the ſuburbs thereof, have proved ineffectual: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the firſt day of July next it ſhall and may be lawful to and for the mayor, ſheriffs, and common council of the city of Cork to aſſemble at the council chamber of the ſaid city of Cork from time to time, and at ſuch time and times as they ſhall think proper, and to aſcertain and fix on the number and kind of lamps neceſſary for the ſaid city and ſuburbs thereof, and the places where the ſame ſhall be erected, and the manner of erecting the ſame, and the time when and how long the ſaid lamps ſhall be and continue lighted, and the manner of lighting, cleanſing, trimming, ſnuffing, maintaining, and repairing the ſame, together with the amount of the ſums of money to be expended in the erecting, lighting, cleanſing, trimming, ſnuffing, maintaining, and repairing each of the ſaid lamps; and that it ſhall and may be lawful to and for the mayors, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, from time to time to agree with and appoint any perſon or perſons to be lamp contractor or contractors for

lamp contractors 1 year, or not above 3,

erecting, lighting, cleanſing, trimming, ſnuffing, repairing, and maintaining lamps in the ſaid city and the ſuburbs thereof for one year, or for any number of years not exceeding three years; and the perſon or perſons ſo appointed ſhall, before he or they ſhall enter upon the execution of the ſaid office, give ſecurity by bond, conditioned in ſuch ſum as to the ſaid mayor, ſheriffs, and common council, or the majority of them, ſhall ſeem reaſonable, and payable to the mayor, ſheriffs, and commonalty of the ſaid city of Cork, with two ſufficient ſecurities for the due and faithful execution of his or their office or offices; and that it ſhall and may be lawful to and for the ſaid mayor, ſheriffs, and common council, or the majority of them, to conſtitute, nominate, and appoint by order or orders under their hands and ſeals, or the hands and ſeals of the majority of them, ſuch lamp contractor or contractors to collect and receive the money, which ſhall be ſo aſcertained by the ſaid mayor, ſheriffs, and common council for the erecting, cleanſing, trimming, ſnuffing, maintaining and repairing the ſaid lamps yearly, and that the ſaid lamp contractor or contractors ſhall collect and receive the ſame half yearly from the ſeveral tenants, occupiers, or owners of the ſeveral dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards, in the ſaid city of Cork and the ſuburbs thereof, according to the ſeveral valuations aforeſaid, by a poundage on ſaid valuations, that is to ſay, that the annual ſums to be aſcertained by the ſaid mayor, ſheriffs, and common council, or the majority of them, for erecting, lighting, cleanſing, trimming, ſnuffing, maintaining, and repairing the ſaid lamps, ſhall be levied upon and paid half yearly by the tenants, owners, and occupiers of the houſes, outhouſes, offices, cellars, ſtables, yards, and linneys in the ſaid city and ſuburbs thereof rateably and in proportion to the valuations, to be made in manner aforeſaid, of their reſpective houſes, outhouſes, offices, cellars, ſtables, yards, and linneys; and in caſe of nonpayment for two days after demand made by the ſaid lamp contractor or contractors on the tenants, occupiers, or owners of the ſaid dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, or yards, for the payment of their reſpective proportions of the ſaid lamp money, that it ſhall and may be lawful to and for the ſaid lamp contractor or contractors, or any of them, or for the bailiff of them, or any of them, appointed for that purpoſe under the hand and ſeal of ſuch lamp contractor, or under the hands and ſeals of ſuch lamp contractors (if more than one) to enter into and upon the ſaid dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards reſpectively,

on bond with ſureties;

to collect half yearly;

by diſtreſs and ſale;

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ly, and to diſtrain any goods or chattles, which may be found upon the ſame, for the proportion of the ſaid lamp money ſo charged on them reſpectively; and the diſtreſs or diſtreſſes ſo taken (if not redeemed within two days from the day of diſtraining, with the payment alſo of one Engliſh ſhilling for the trouble of ſuch diſtraining) to ſell by publick cant for the payment of the ſaid lamp money, for which ſuch diſtreſs or diſtreſſes ſhall be ſo taken, together with one Engliſh ſhilling for the trouble of ſuch diſtraining, rendering the overplus (if any ſhall be) to the owner or owners of ſuch diſtreſs or diſtreſſes; and in caſe no ſufficient diſtreſs can be had or found, or in caſe the premiſſes liable to be diſtrained ſhall be kept locked or faſtened up, ſo as that the ſaid lamp contractors, or any of them, or the bailiff of them, or any of them, ſhall be prevented from entering and diſtraining for the ſaid lamp money, that then it ſhall and may be lawful to and for the ſaid lamp contractor or contractors to ſummon the tenant, occupier, or owner of the premiſſes, ſo locked or faſtened up, to appear before the mayor of the ſaid city, or any one of the aldermen of the ward of the ſaid city, for the payment of the lamp money ſo charged on the ſaid premiſſes ſo guarded, locked, or faſtened up; and in caſe of non-appearance of the party ſo ſummoned, and proof made by oath or affidavit before ſaid mayor or aldermen reſpectively of ſuch parties having been ſummoned, which oath or affidavit the ſaid mayor or alderman are hereby reſpectively authorized to adminiſter and take, or in caſe of the appearance of ſuch party, and refuſal to pay the lamp money ſo due on the premiſſes ſo locked or faſtened up, to which ſuch party ſhall be tenant, occupier, or owner, together with fourpence for the coſt of ſuch ſummons; that then it ſhall and may be lawful to and for the ſaid mayor or ſuch alderman of the ward, who granted the ſaid ſummons, to iſſue a warrant under his hand and ſeal in the nature of an execution, directed to the conſtables of the county of the ſaid city, or to any one of them, or to ſome ſpecial conſtable to be appointed for that purpoſe, to levy of the goods and chattles of the party ſo ſummoned his or her proportion of the ſaid lamp money, together with the ſum of ten pence for the coſts of the ſaid ſummons and warrant, and the further ſum of one Engliſh ſhilling for the conſtable or ſpecial conſtable's trouble for levying the ſaid lamp money; and the ſaid lamp money ſo levied ſhall be paid immediately on the levying thereof to the ſaid lamp contractor or lamp contractors by the conſtable or ſpecial conſtable, who ſhall levy the ſame, together with the ſaid ſum of ten pence, the coſts of

if no diſtreſs, or premiſſes locked, ſummons and execution as aforeſaid.

of the ſaid ſummons and warrant; and the ſaid lamp contractor or lamp contractors ſhall pay over the ſaid ſum of ten pence to the ſaid mayor or to the alderman of the ward, that ſhall have iſſued the ſaid ſummons and warrant.

Owner not liable, where actual tenant in poſſeſſion.

XXII. Provided always, that no owner ſhall be liable to be ſo ſummoned, or to pay any part of ſaid lamp money, when there is an actual tenant in poſſeſſion of the premiſſes, out of which the ſaid lamp money is refuſed or neglected to be paid.

Lamp contractors removed for miſbehaviour,

XXIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, as often as any perſon or perſons, with whom they ſhall agree and appoint to erect, light, ſnuff, cleanſe, trim, maintain, and repair the ſaid lamps, ſhall be guilty of any neglect or miſbehaviour in the execution of his or their ſaid office or offices, upon proof thereof in a ſummary way before the ſaid mayor, ſheriffs, and common council by the oath of one witneſs, which oath the ſaid mayor is hereby authorized to adminiſter, or by confeſſion of the party, to remove him or them from his or their reſpective offices, and in his or their ſtead from time to time, to appoint any other perſon or perſons lamp contractor or contractors to erect, light, ſnuff, cleanſe, trim, repair, and maintain the ſaid lamps for one year, or any number of years not exceeding three years, taking ſuch ſecurity from him or them as aforeſaid; and ſuch perſon or perſons, ſo to be agreed with and appointed as aforeſaid, may and ſhall have and receive the ſeveral ſums of money, made or to be made payable as lamp money as aforeſaid, with like ſeveral powers of diſtraining, receiving, and recovering the ſame, which are herein before mentioned; and that ſaid mayor, ſheriffs, and common council, or the majority of them, ſhall have like power of appointing ſuch perſon or perſons to collect and receive as aforeſaid, and alſo like power of removing ſuch perſon or perſons, and of ſubſtituting others in their ſtead and place as aforeſaid.

Others appointed.

Or on neglect forfeit 5 Engliſh ſhillings.

XXIV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons, whom the mayor, ſheriffs, and common council of the ſaid city of Cork ſhall agree with, and appoint to erect, light, ſnuff, cleanſe, trim, maintain, and repair the ſaid lamps as aforeſaid, ſhall neglect to ſupply the ſaid lamps, or any of them, with a ſufficient quantity of good and proper wick or oil, to continue lighting for ſuch time as the ſaid mayor, ſheriffs, and common council, or the majority of

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them ſhall fix on, or ſhall neglect to keep the glaſſes of the ſaid lamps, or any of them, clean and intire, or ſhall be guilty of any other neglect, for which the mayor, ſheriffs, and common council of the ſaid city of Cork may not think proper or ſufficient, to remove ſuch lamp contractor or lamp contractors from his or their office or offices, that then and in every ſuch caſe ſuch perſon or perſons ſo offending ſhall forfeit for every ſuch neglect the ſum of five Engliſh ſhillings, to be recovered and levied by diſtreſs and ſale of ſuch offender's goods and chattles after conviction in a ſummary way before the mayor or other juſtice of the peace of the ſaid city of Cork by the oath of one witneſs, which oath the ſaid mayor or other juſtice are hereby authorized to adminiſter, or by confeſſion of the party accuſed, and to be applied in manner herein after directed; and that if any perſon or perſons ſhall wilfully or maliciouſly break, throw down, or extinguiſh any lamp or lamps to be ſet up to light the ſtreets, lanes, or paſſages, or quays of the ſaid city of Cork, or the ſuburbs thereof, or wilfully damage the poſts, irons, or other furniture of the ſaid lamps, it ſhall be lawful to and for any perſon or perſons to arreſt and detain ſuch offender and offenders, until he, ſhe, or they may be carried before the mayor, or ſome other juſtice of the peace for the ſaid city for the time being; and every perſon ſo offending, and being thereof convicted in a ſummary way by the oath of one witneſs, or by the confeſſion of the party accuſed, before the mayor or any juſtice of the peace for the ſaid city of Cork, which oath the ſaid mayor or juſtice are hereby authorized to adminiſter, ſhall for ſuch offence forfeit the ſum of forty ſhillings for each lamp, poſt, iron, or furniture thereof ſo broken, thrown down, extinguiſhed, or wilfully damaged, to be recovered and levied by diſtreſs and ſale of the offender's goods in manner as aforeſaid, and to be applied in manner herein after mentioned; and in caſe no goods or chattles of the perſons ſo offending can at the time of ſuch conviction be found, then and in ſuch caſe it ſhall be lawful for the ſaid mayor or juſtice, before whom ſuch offender ſhall be convicted, to commit ſuch offender to the houſe of correction, there to be kept to hard labour for any time not leſs than one month, and not exceeding three months.

to break or extinguiſh lamp, the poſts, &c. 40s.

if no diſtreſs committed,

not under 1, nor above 3, months.

XXV. Provided that if ſuch penalty or forfeiture ſhall be paid, before the time of ſuch commitment be expired, that then ſuch offender ſhall upon ſuch payment be immediately diſcharged out of cuſtody; and that the ſaid penalty or forfeiture of five Engliſh ſhillings, hereby impoſed on the ſaid lamp contractor or

On payment diſcharged,

ſaid penalties to proſecutor and work-houſe,

lamp

lamp contractors, or any of them, and the ſaid penalty or forfeiture of forty ſhillings, hereby impoſed on any perſon or perſons for wilfully or maliciouſly breaking, throwing down, or extinguiſhing any lamp to be erected in the ſaid city of Cork, or ſuburbs thereof, or for wilfully damaging the poſts, irons, or other furniture of the ſaid lamps, or any of them, ſhall be paid and applied in the manner following, that is to ſay, one moiety to the perſon or perſons who ſhall diſcover and proſecute ſuch offender or offenders to conviction, and the other moiety thereof to the governors of the work-houſe of the ſaid city of Cork for the uſe of the ſaid work-houſe, firſt deducting the expences of repairing ſuch poſt, iron, or their furniture; and that if any perſon or perſons ſhall ſteal or forceably carry away any of the ſaid lamps, iron, poſts, or furniture thereof, ſuch perſon or perſons, being lawfully convicted thereof upon indictment, ſhall be adjudged guilty of felony, and ſhall be tranſported to one of his Majeſty's plantations in America for ſeven years, or ſhall be publickly whipped, at the diſcretion of the judge who ſhall paſs judgment on ſuch offenders.

to ſteal or carry away lamps, &c.

felony tranſportation 7 years, or whipt.

XXVI. And whereas by an act paſſed in the fifth year of his preſent Majeſty's reign, intituled, *An act for altering and amending ſeveral ſtatutes heretofore made, for the better regulation of the city of* Cork, *and for regulating trials by juries in the court of record of the ſaid city, and for eſtabliſhing market juries in the ſaid city, and for making wide and convenient ways, ſtreets, and paſſages in the ſaid city and ſuburbs thereof, and for preventing frauds committed by the bakers and meal makers of the ſaid city*, certain powers are thereby veſted in the mayor, ſheriffs, and common council of the ſaid city of Cork, for erecting and maintaining lamps in the ſaid city and the ſuburbs thereof; and in and by the ſaid act it is recited, that whereas the mayor, ſheriffs, and commonalty of the ſaid city of Cork, not having money ſufficient in the hands of the ſaid city for the erecting and lighting lamps in the ſaid city and ſuburbs, did on the credit of the ſaid funds, and in conſequence of a clauſe in a former act of parliament, borrow the ſum of nine hundred and thirty eight pounds ſixteen ſhillings and ſeven pence halfpenny at intereſt at the rate of five pounds for every hundred by the year, and that they had expended the ſaid ſum for the purpoſes aforeſaid, and that the ſaid mayor, ſheriffs, and commonalty had repaid the ſaid ſum of nine hundred and thirty eight pounds ſixteen ſhillings and ſeven pence halfpenny, together with ſeventy ſeven pounds thirteen ſhillings and eight pence intereſt due thereon,

5 G. 3. c. 24.

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amounting in the whole to the ſum of one thouſand and ſixteen pounds ten ſhillings and three pence, ſhould be raiſed on the inhabitants of the city of Cork and the ſuburbs thereof in three equal yearly applotments, along with the lamp money thereby enacted to be raiſed, and when raiſed ſhould be paid to the ſaid mayor, ſheriffs, and commonalty of the ſaid city of Cork, in manner as in the ſaid recited act of parliament is mentioned: and whereas the lamp money intended to be raiſed by the ſaid recited act of parliament, and the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence for the uſe of the ſaid mayor, ſheriffs, and commonalty of the ſaid city of Cork, were by the ſaid recited act of parliament directed to be applied and raiſed by ſworn valuators according to the ſubſtance of the inhabitants of the ſaid City of Cork and the ſuburbs thereof: and whereas many inconveniencies have been found to attend the aforeſaid manner, directed by the ſaid recited act of parliament for raiſing the lamp money thereby intended to be raiſed, and the ſaid ſum of one thouſand and ſixteen pounds ten ſhilling and three pence, the ſaid recited act of parliament, ſo far as the ſame related to erecting and lighting lamps in the ſaid city of Cork, and the ſuburbs thereof, and to raiſing the expences thereof, and the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence was not carried into compleat or effectual execution, whereby the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence has not been raiſed, and ſtill remains unpaid to the ſaid mayor, ſheriffs, and commonalty of the ſaid city of Cork: therefore be it further enacted by the authority aforeſaid, that the mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, ſhall cauſe the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence to be added in eight equal yearly ſucceſſive diviſions to the firſt eight yearly ſucceſſive ſums of money, that ſhall be aſcertained and directed after the paſſing of this act by the ſaid mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, to be raiſed in manner herein before mentioned for the erecting, trimming, ſnuffing, cleanſing, repairing, and maintaining the lamps of the ſaid city of Cork, and the ſuburbs thereof; and that the ſame ſhall be chargeable on and paid by the aforeſaid occupiers, tenants, and owners, in the proportion and according to the method herein before mentioned for the raiſing and paying the ſaid annual lamp money, along with and at the time of the payment of the ſaid lamp money for the firſt eight ſucceſſive years that ſaid lamp money ſhall be raiſed, after the

1016l. 10s. 3d not raiſed purſuant to 5 G. 3. c. 24. ſ. 5. ſhall be added in 8 yearly ſucceſſive diviſions,

the paſſing this act, with the like remedies for recovery in caſe of nonpayment thereof, as are herein before mentioned with reſpect to the ſaid lamp money; and that the ſaid lamp contractor or contractors, ſhall collect and receive the ſame in manner, as is herein before mentioned with reſpect to ſaid lamp money, and ſhall pay over to the chamberlain of the ſaid city of Cork for the uſe of the ſaid mayor, ſheriffs, and commonalty, the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence, as and when he or they ſhall receive the ſame under the ſaid eight annual diviſions thereof reſpectively; and that all and ſingular the lamps, irons, poſts, and other furniture thereunto belonging, now in poſſeſſion of the ſaid mayor, ſheriffs, and commonalty of the ſaid city of Cork, and which were purchaſed with part of the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence, ſhall go in aid of the execution of ſuch part of this act, as relates to lighting the ſaid city and ſuburbs thereof without any ſum or ſums of money being levied or raiſed for the value or purchaſe thereof, ſave the aforeſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence.

XXVII. And whereas many idle and diſorderly perſons infeſt the ſtreets, lanes, and quays of the ſaid city of Cork and the ſuburbs thereof in the night time to the great annoyance of the inhabitants, whereby a pariſh watch is become neceſſary to be eſtabliſhed in the ſaid city and the ſuburbs thereof for the good government thereof, and for the peace and ſafety of the inhabitants: therefore be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the miniſter, church wardens, and pariſhioners of the ſeveral pariſhes in the ſaid city of Cork and the ſuburbs thereof which are herein before mentioned, at their reſpective veſtries to be held at any time or times after the firſt day of July next, from time to time to appoint a ſufficient number of able watchmen to keep watch in each of the ſaid reſpective pariſhes, and to appoint the times of watch in ſaid pariſhes reſpectively, and to appoint proper ſalaries or wages for ſuch watchmen, and to appoint proper watch houſes in each of ſaid pariſhes reſpectively, and to appoint neceſſary fire and candle light, and other neceſſary articles for ſuch watch houſes, and watch cloaks, lanthorns, and ſtaves or pikes for ſuch watchmen, and to appoint annual overſeers of ſuch watches to ſee that the ſame are duly kept, and to puniſh by ſmall fines or ſhort impriſonments ſuch of the ſaid watchmen, as ſhall miſbehave themſelves, and to appoint others in the room of them; and that it ſhall and may be lawful to

Watchmen appointed in veſtries, with wages, and neceſſaries, and annual overſeers, to puniſh by ſmall fines or ſhort impriſonment, and appoint others,

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and for the ſaid watchmen, or any of them, to apprehend all ſuch idle and diſorderly perſon and perſons, as they or any of them ſhall find in the night time making any affray, or committing any breach of his Majeſty's peace, in the ſaid city of Cork, and the ſuburbs thereof, or any part thereof, at late and unſeaſonable hours of the night; and ſuch perſon or perſons ſo apprehended, to detain priſoners in the reſpective watch houſes of the ſaid pariſhes; and ſuch watchmen or watchman ſhall in the morning after the apprehending of ſuch idle, diſorderly, or ſtroling perſon or perſons, carry or convey ſuch idle, diſorderly, or ſtroling perſon or perſons before the mayor of the ſaid city of Cork, or ſome one of his Majeſty's juſtices of the ſaid city of Cork, to be examined and dealt with according to law.

watchmen to apprehend idle, diſorderly or ſtroling perſons, next morning carry before a magiſtrate.

XXVIII. And be it further enacted by the authority aforeſaid, that the rent of ſuch watch houſes, and the expences of ſuch fire, candles, watch cloaks, lanthorns, ſtaves, and pikes, or other neceſſary articles aforeſaid, and all the expences, coſts, and charges, that ſhall attend the appointment and continuing of a proper watch in each of the ſaid pariſhes, as well as all other money uſually raiſed at the veſtries held for the ſaid ſeveral pariſhes in the ſaid city of Cork and the ſuburbs thereof for the repair of churches, pariſh clerks, and other pariſh officers ſalaries, and other pariſh charges, ſhall by the miniſter, church wardens, and pariſhioners, at the reſpective veſtries, to be held for the ſaid pariſhes from and after the ſaid firſt day of July next, be charged upon and be paid by the reſpective inhabitants of each of ſaid pariſhes by a proportionable poundage, according to the herein before mentioned valuation of the ſaid ſeveral dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards in each of the ſaid pariſhes, in manner as is herein before ſet forth with reſpect to the ſaid lamp money; and the church wardens of the ſaid ſeveral pariſhes ſhall receive and recover from the inhabitants of the ſaid pariſhes the money, ſo to be appointed by the ſaid veſtries, in the ſame manner, and by ſuch remedies, as pariſh rates appointed by the veſtries of the ſaid reſpective pariſhes to be raiſed and paid are now by law to be recovered.

Watch-money charged in veſtries on inhabitants by ſaid valuation for lamp money,

recovered as pariſh rates,

XXIX. And whereas deficiencies may ariſe in the publick money, appointed to be raiſed by the grand juries at the ſeveral aſſizes to be held for ſaid city of Cork, by the death, removal, or inſolvency of ſome of the inhabitants of the ſaid city of Cork, and the ſuburbs thereof, or of the tenants or occupiers of the lands in the north and ſouth liberties of the ſaid city of Cork, or by the death, removal, or inſolvency of the pariſh conſtables of the pariſhes,

Deficiencies in preſentments former aſſizes preſented the next,

pariſhes, quarters, or diſtricts in the ſaid city of Cork, or the ſuburbs thereof, or of the high conſtables of the north and ſouth liberties of the ſaid city of Cork, or of the conſtables of the ſeveral pariſhes in the north and ſouth liberties of the ſaid city of Cork: therefore be it enacted by the authority aforeſaid, that the grand jury at any aſſizes, to be held for the ſaid city of Cork after the firſt day of July next, ſhall upon due proof made to them of any ſuch deficiency happening in any public money, preſented to be raiſed by the grand jury at the then next preceding aſſizes held for the county of the ſaid city of Cork, preſent ſuch deficiency to be raiſed along with the money by them to be preſented and raiſed at ſaid ſucceeding aſſizes.

Conſtables not exempt from ſums received, and not paid to treaſurer,

XXX. Provided that nothing herein contained ſhall be conſtrued, deemed, or taken to exempt the ſaid conſtables, or high conſtable, or any of them, or their heirs, executors, or adminiſtrators from the payment or recovery of any publick money, that ſuch conſtable or high conſtables ſhall have received, and not paid to the treaſurer of the county of the ſaid city of Cork; but that the ſaid treaſurer ſhall upon recovery of ſuch money according to the laws now in force from ſuch conſtable or conſtables, high conſtable or high conſtables, his or their heirs, executors, or adminiſtrators, give credit for the ſame in the books of the county of the ſaid city of Cork kept by him; and that ſuch ſum or ſums of money, as ſhall be ſo recovered and received by the ſaid treaſurer, ſhall be preſented by the reſpective grand juries at the aſſizes, to be held for the county, of the ſaid city of Cork, in aid of the publick money that ſhall be preſented to be raiſed by ſaid grand juries at each of the ſaid aſſizes.

recovered by treaſurer,

preſented in aid of publick money.

Deficiencies in lamp money by death, removal or inſolvency of tenants, &c. on contractor's oath, added to appointment for next year,

XXXI. And whereas deficiencies may ariſe in the money to be annually appointed by the mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, for the erecting lighting, trimming, ſnuffing, cleanſing, repairing, and maintaining the lamps of the ſaid city of Cork, and the ſuburbs thereof; and in the eight annual ſucceſſive diviſions of the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence, hereby appointed to be raiſed and paid to the mayor, ſheriffs, and commonalty of the ſaid city of Cork, by the death, removal, or inſolvency of ſome of the tenants, occupiers or owners of the dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, or yards in the ſaid city of Cork, and the ſuburbs thereof: therefore be it enacted by the authority aforeſaid, that the ſaid mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, upon due proof made to them for ſuch deficiency by the

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oath of the ſaid lamp contractor or contractors, or any of them, which oath the ſaid mayor is hereby authorized to adminiſter, ſhall add ſuch deficiency to the ſum or ſums of money to be appointed by the ſaid mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, for the erecting, lighting, trimming, ſnuffing, cleanſing, repairing, and maintaining the lamps of the ſaid city of Cork and the ſuburbs thereof for the following or enſuing year; and that ſuch deficiency ſhall be deemed and taken as part of ſuch ſum or ſums of money ſo to be appointed, and ſhall be collected, received, and recovered, therewith.

And deficiencies for watch money, &c. added by veſtries to next rate.

XXXII. And whereas the like deficiency may happen in the money appointed by the veſtries in the ſeveral pariſhes of the ſaid city of Cork and the ſuburbs thereof to be raiſed for watch money and the other purpoſes herein before mentioned: therefore be it further enacted by the authority aforeſaid, that ſuch deficiency being duly proved by the oath of the church wardens, or one of them, in each pariſh, which oath the miniſters of the ſaid reſpective pariſhes are hereby authorized to adminiſter, that the ſaid deficiency ſhall by the miniſter, church wardens, and pariſhioners, at their reſpective veſtries to be held for the ſaid pariſhes, be added to the next rate to be made at ſuch veſtries for ſuch watch money, and the other purpoſes aforeſaid; and that the ſum ſo added for the ſaid deficiency ſhall be deemed and taken as part of ſuch rate, and ſhall be be collected, received, and recovered therewith.

5 *G.* 3. *c.* 24. *ſ.* 15.

XXXIII. And whereas by the ſaid recited act, made in the fifth year of his Majeſty's reign, a market jury of twelve perſons are appointed to be ſworn for the ſaid city of Cork, who, or any three of whom, are thereby impowered and required at ſeaſonable hours to viſit the markets, ſtore houſes, working houſes, cellars, and ſhops in the ſaid city of Cork, where proviſions and victuals are ſold or made up or making up for ſale in the ſaid city, and to inſpect the * quantity of the ſaid proviſions and victuals; and in caſe the ſaid jury, or any three or more of them, ſhall find any unwholſome or bad proviſions or victuals, or any proviſions or victuals fraudulently or illegally made up, or proviſions or victuals in the hands of any foreſtaller, regrator, or engroſſer, that in every ſuch caſe the ſaid jury, or any three or more of them, are hereby impowered to ſeize the ſaid proviſions or victuals, and the perſon or perſons expoſing the ſame to ſale, or claiming to be the owner or owners thereof, and to carry the ſaid proviſions and victuals, and the ſaid perſon or perſons, before the mayor of the ſaid city of Cork for the time being, who is hereby impowered

powered to diſpoſe of the ſaid proviſions and victuals, and of the ſaid perſon or perſons, according to law: and whereas many of the abuſes, intended to be reformed by the ſaid market jury, eſcaped puniſhment by reaſon of the difficulties in getting three of the ſaid market jury to attend together: therefore be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for each of the ſaid market jury to execute the ſaid office to all intents and purpoſes as fully and effectually, as any three or more of the ſaid maket jury might or could do by virtue of the ſaid recited act of parliament. A. D. 1771-2. Cap. 18

Each of market jury may act as 3 by 5 *G.* 3. *c.* 24. *ſ.* 15.

XXXIV. And whereas the court of record, held for ſaid city of Cork before the mayor and ſheriffs of the ſaid city, is of great advantage to the inhabitants of the ſaid city: and whereas the mayor and ſheriffs of the ſaid city of Cork cannot attend the holding of the ſaid court of record as regularly, as the ſame might be held for the benefit of the ſuitors therein by reaſon of the neceſſary attendance, that the ſaid mayor and ſheriffs are obliged to give to other duties of their reſpective offices: therefore be it further enacted by the authority aforeſaid, that the recorder or deputy recorder of the ſaid city of Cork being a barriſter ſhall from and after the firſt day of July next have full power and authority to hold the ſaid court of record in the abſence of the mayor and ſheriffs of the ſaid city of Cork, or any of them, as fully and effectually to all intents and purpoſes as if the ſame was held before the ſaid mayor and ſheriffs; and that all acts done in the ſaid court of record, to be held before the ſaid recorder or deputy recorder, ſhall be deemed and taken as if done before the ſaid mayor and ſheriffs in the ſaid court of record.

Recorder or deputy, a barriſter, may hold the court of record in abſence of mayor and ſheriffs,

XXXV. And whereas the ſaid court of record is held only on one day in each week: and whereas it would be of greater advantage to the ſuitors in the ſaid court of record to have the ſame oftener held: therefore be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the mayor and ſheriffs of the ſaid city of Cork, and for the recorder or deputy recorder of the ſaid city, as they ſhall happen reſpectively to preſide in the ſaid court of record, to adjourn the ſaid court of record from day to day, or to ſuch day or days as they ſhall reſpectively ſee expedient for the diſpatch of the buſineſs of the ſaid court of record, any cuſtom, law, or uſage to the contrary in any wiſe notwithſtanding.

Court of record may be adjourned from day to day, or as expedient,

XXXVI. And whereas great delays and inconveniencies attend the ſuitors of the ſaid court of record of the ſaid city of Cork by the non attendance of jurors and witneſſes: therefore be it enacted

Juror or witneſs, not

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acted by the authority aforeſaid, that from and after the firſt day of July next it ſhall and may be lawful for the mayor and ſheriffs of the ſaid city of Cork, and for the recorder of the ſaid city, or the deputy recorder of the ſaid city, as they or any of them ſhall happen to preſide in the ſaid court of record, to impoſe a fine not exceeding five pounds on any juror or witneſs, that ſhall be legally ſummoned to attend the ſaid court of record, and ſhall refuſe or neglect to appear purſuant to the ſaid ſummons, and for whom no ſufficient excuſe ſhall be laid before the court: and that it ſhall and may be lawful to and for the ſaid mayor and ſheriffs, and to and for the ſaid recorder or deputy recorder of the ſaid city, as they or any of them ſhall happen to preſide in the ſaid court of record, to iſſue from and out of the ſaid court of record proceſs from time to time in the nature of an execution, directed to the ſerjeants at mace of the ſaid city, or any of them (who are the officers and miniſters of the ſaid court of record) to levy the ſaid fine off the goods and chattles of ſuch juror or witneſs, who ſhall be ſo fined as aforeſaid, and the ſame, when levied, to pay over to the governors of the work-houſe of the ſaid city of Cork for the uſe of ſaid work-houſe, deducting thereout the ſum of two ſhillings and ſixpence for the trouble of the ſaid ſerjeants at mace, or of ſuch of them as ſhall execute the ſaid proceſs.

appearing on ſummons, without ſufficient excuſe, fined not above 5l.

levied on proceſs,

to work-houſe.

XXXVII. And whereas for time immemorial by the eſtabliſhed uſage and cuſtom of proceeding by attachment againſt the goods and chattles of defendants in the court of record of the ſaid city of Cork for the recovery of debts due and demands, the goods and chattles taken under ſuch attachments were held in cuſtody by the ſerjeants at mace of the ſaid city, until the defendant entered good and ſufficient ſpecial bail in the ſaid court of record, to pay what ſhould be adjudged to the plaintiff on the trial of the cauſe: and whereas the ſaid cuſtom of proceeding in the ſaid court of record by attachment hath been found highly beneficial and of the greateſt utility to the merchants, traders, and inhabitants of the ſaid city of Cork, and hath tended to the eſtabliſhment of publick credit in that city: therefore be it further enacted by the authority aforeſaid, that the ſaid cuſtom of proceeding in the ſaid court of record by the attachment may and the ſame is hereby confirmed and eſtabliſhed.

Cuſtom of proceeding by attachment againſt a defendant's goods and chattles confirmed.

XXXVIII. And whereas by a charter granted to the mayor, ſheriffs, and commonalty of the ſaid city of Cork by King Charles the firſt, the mayor, recorder, and juſtices of the peace of the ſaid city, or any three of them, of whom the ſaid mayor or recorder was always to be one, are impowered to hold the

court of general quarter ſeſſions of the peace for the ſaid city and county of the ſaid city of Cork: and whereas the mayor of the ſaid city of Cork by the neceſſary attendance on other parts of the duty of his ſaid office of mayor cannot conſtantly attend the ſaid court of general quarter ſeſſions of the peace: and whereas the juſtices of the peace for the ſaid city of Cork conſiſt of perſons, who have executed and gone through the ſaid office of mayor of the ſaid city, and moſt of them being perſons chiefly employed in trade and merchandize, they find it inconvenient to attend the ſaid court of general quarter ſeſſions of the peace and the ſeveral adjournments thereof as regularly, as they ought to do: and whereas many notorious offenders, charged with riots, reſcues, and other breaches of the King's peace, often eſcape juſt and ſpeedy puniſhment by the ſaid mayor and juſtices of the peace not regularly attending the ſaid courts of general quarter ſeſſions of the peace, and the ſeveral adjournments thereof: for remedy whereof be it further enacted by the authority aforeſaid, that the recorder of the ſaid city of Cork, or the deputy recorder of the ſaid city, being a barriſter at law, ſhall from and after the firſt day of July next have full power and authority to hold the ſaid general quarter ſeſſions of the peace for the ſaid city and county of the city of Cork, and to preſide thereat, or at any adjournment thereof, as fully and effectually to all intents and purpoſes whatſoever, as if the ſame were held before the ſaid mayor or recorder and any two of the juſtices of the peace of the ſaid city.

Recorder or deputy, a barriſter, may hold general quarter ſeſſions, or adjournment, as if before mayor, &c.

XXXIX. Provided, that nothing herein contained ſhall be deemed, conſtrued, or taken, to prevent or hinder the mayor and juſtices of the peace of the ſaid city from attending at the ſaid court of quarter ſeſſions of the peace, or at any adjournment thereof, or from doing their duty as fully and effectually to all intents and purpoſes, as they or any of them might or could do before the making of this act.

But mayor and juſtices may act as before,

XL. Whereas notwithſtanding the laws now in force in this kingdom ſeveral unlawful combinations are kept up by and amongſt the workmen and artificers in the ſeveral trades and manufactures of the ſaid city of Cork to the great detriment of the trade of the ſaid city: for remedy whereof be it further enacted by the authority aforeſaid, that if any perſon or perſons not lawfully authorized ſhall ſummon, or cauſe to be ſummoned, by writing or otherwiſe any manufacturer, artificer, journeyman, apprentice, or labourer, uſually employed in any branch of any trade, manufacture, or buſineſs, carried on within the city of

To prevent unlawful combinations,

ſummoning artificers, &c. to meet to fix prices, make rules, adminiſter oath or declaration, deliver ticket, or token, menace or

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of Cork, or the county of the ſaid city, to appear at any meeting or aſſembly in order to conſult upon or enter into any rule, agreement, aſſociation, or combination, to aſcertain or fix the price of labour or workmanſhip, or to make any rule, order, or regulation, in any wiſe reſpecting any ſuch trade, manufacture, or buſineſs, or the perſons employed or to be employed therein, or ſhall adminiſter, or cauſe to be adminiſtered, any oath or declaration to any ſuch manufacturer, artificer, journeyman, apprentice, or labourer aforeſaid, tending to fix the price or wages of labour or workmanſhip, or tending to fix upon or make any rule, order, agreement, or regulation reſpecting ſuch trade, manufacture, or buſineſs, or the perſons employed or to be employed therein, or ſhall iſſue or cauſe to be iſſued, deliver or cauſe to be delivered, any ticket, certificate, or token, (other than and except ſuch ticket or certificate as ſhall or may be delivered by or by the order of the corporation, whereof ſuch manufacturer, artificer, journeyman, apprentice, or labourer, is or ſhall be a member, to any ſuch manufacturer, artificer, journeyman, apprentice, or labourer, of his being licenced to work at his or their reſpective trade or trades,) or ſhall make or join in making any rule, order, or agreement, or regulation relating to the prices or wages of labour or workmanſhip, or in any particular relating to any part or branch of any ſuch trade, manufacture, or buſineſs, or ſhall deliver or cauſe to be delivered to any perſon whatſoever any ticket, token, printed advertiſement, or writing, containing any rules, regulations, or agreements, or rule, regulation, or agreement, entered into or to be entered into by any artificer, journeyman, or labourer, in reſpect, touching, or concerning any ſuch trade, manufacture, or buſineſs, or ſhall by force, menaces, or otherwiſe hinder or attempt to hinder any ſuch manufacturer, artificer, journeyman, apprentice, or labourer as aforeſaid, from working at his or their reſpective trade or trades at ſuch prices as ſhall be aſcertained, in ſuch manner as is herein ſet forth, with his or their reſpective employers or maſters, or at ſuch particular work as ſuch employers or maſters ſhall direct in their reſpective trades or callings, upon notice or intelligence thereof being given to the mayor or any one juſtice of the peace for ſaid city, it ſhall be lawful for the ſaid mayor or ſuch one juſtice reſpectively to iſſue his warrant under his hand and ſeal to apprehend the perſon or perſons charged with all or any one of the aforeſaid offences, and every ſuch perſon being thereof convicted in a ſummary way before the mayor or any one juſtice of the peace of the ſaid city by the oath of one or more credible witneſs

hinder from working, &c. impriſoned not above 6 months, and whipped, and recognizance for good behaviour 7 years, not above 40l.

witneſs or witneſſes, which oath the ſaid mayor, or ſuch juſtice is hereby impowered and required to adminiſter, or by the confeſſion of the perſon charged with ſuch offence, it ſhall and may be lawful to and for the ſaid mayor or ſuch one juſtice reſpectively by warrant under his hand and ſeal to commit the perſon or perſons ſo convicted to gaol, there to be kept without bail or mainprize for any time not exceeding ſix months; and to order the perſon or perſons ſo convicted to be publickly whipped on the next ſucceeding Saturday after ſuch conviction, and alſo to be whipped a ſecond and third time on the then next ſucceeding Saturdays, if the ſaid mayor or the ſaid juſtice ſhall think proper to order that ſuch perſon ſhall be whipped more than once, at ſome publick place or through ſuch publick ſtreets or lanes within the ſaid city or county of the ſaid city as the ſaid mayor or ſuch one juſtice ſhall in his diſcretion direct; and every ſuch perſon or perſons ſhall, before he or they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizance in a ſum not exceeding forty pounds before the mayor or any other juſtice of the peace of the ſaid city with or without ſureties for ſuch perſons being of the good behaviour, and keeping the peace to all his Majeſty's ſubjects, for any term not exceeding ſeven years.

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Artificer, &c. taking oath, combining to fix price, make rules, or any pretence not to work for particular employer,

XLI. And be it further enacted by the authority aforeſaid, that if any ſuch manufacturer, artificer, journeyman, apprentice, or labourer as aforeſaid, ſhall take an oath, or enter into any combination or agreement, to aſcertain or fix the price of wages, or of labour, or workmanſhip, or to make any rule, order, agreement, or regulation, reſpecting their reſpective trades, manufacture, or buſineſs, or take any oath, or enter into combination or agreement under any pretence or pretences whatſoever, not to work for any particular maſter or maſters, employer or employers, upon notice or intelligence thereof, though not upon oath, being given to the ſaid mayor, or any one juſtice of the peace for ſaid city, it ſhall be lawful for the ſaid mayor or ſuch one juſtice reſpectively, to iſſue his warrant under his hand and ſeal to apprehend the perſon or perſons charged with all or any of the aforeſaid offences; and every ſuch perſon or perſons being thereof convicted in a ſummary way before the ſaid mayor, or any one juſtice of the peace of the ſaid city, upon the oath of one or more credible witneſs or witneſſes, which oath the mayor or ſuch one juſtice is hereby impowered and required to adminiſter, or by the confeſſion of the perſon charged with ſuch offence, it ſhall and may be lawful to and for the ſaid mayor or ſuch one juſtice

on notice, tho' not on oath, to a magiſtrate, apprehended,

on conviction by oath or confeſſion, like puniſhment.

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by warrant under his hand and ſeal to commit the perſon or perſons ſo convicted to gaol, there to be kept without bail or mainprize for any time not exceeding ſix months, and alſo to order the perſons ſo convicted to be publickly whipped once or oftner at his diſcretion as aforeſaid at ſome publick place or through ſuch publick ſtreets or lanes within the ſaid city or county of the ſaid city; and every ſuch perſon or perſons ſhall, before he or they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizance in a ſum not exceeding forty pounds before the ſaid mayor, or any other juſtice of the peace of the ſaid city with or without ſureties for ſuch perſons being of the good behaviour, and keeping the peace to all his Majeſty's ſubjects, for any term not exceeding ſeven years.

Refuſing employment 7 days having no other calling or ſervice, or to work after engagement, &c.

impriſoned not above 3 months and whipped, and recognizance, 40l.

XLII. And be it further enacted by the authority aforeſaid, that if any manufacturer, artificer, journeyman, or labourer uſually employed in any trade or manufacture carried on or to be carried on within the city or county of the city of Cork, not having any other viſible livelyhood beſides the trade, buſineſs, occupation or calling to which he ſhall belong, and not being in the actual ſervice of any maſter or employer, on application made to him by any maſter or employer in the trade or buſineſs to which ſuch manufacturer, artificer, journeyman, or labourer ſhall belong, ſhall refuſe or neglect for the ſpace of ſeven days after ſuch application to work with the perſon making ſuch application at the prices herein after aſcertained, or in caſe any ſuch manufacturer, artificer, journeyman, or labourer, being engaged with any maſter or employer in any ſuch buſineſs, ſhall after ſuch engagement, and during the time of which he ſhall be ſo engaged, refuſe to work or ſhall not work on being required in or at any particular branch of the buſineſs, he ſhall be ſo engaged for, and in ſuch uſual and reaſonable manner as his maſter or employer ſhall direct, every ſuch perſon or perſons ſo offending, and being thereof convicted in a ſummary way before the ſaid mayor, or any one juſtice of the peace for the county of the ſaid city, by the oath of the perſon making ſuch application, or of any other witneſs or witneſſes, which oath ſuch mayor or juſtice is hereby authorized to adminiſter, or by the confeſſion of the perſon charged with ſuch refuſal without ſufficient cauſe upon oath to the ſatisfaction of ſuch mayor or juſtice for ſuch refuſal, it ſhall be lawful for ſuch mayor or juſtice by warrant under his hand and ſeal to commit the perſon

ſon or perſons ſo convicted to gaol, there to be kept without bail or mainprize for any time not exceeding three months, and alſo to order the perſon or perſons ſo convicted to be once or oftner as aforeſaid at the diſcretion of the ſaid mayor or juſtices publickly whipped; and every ſuch perſon or perſons ſhall, before he or they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizance in a ſum not exceeding forty pounds before the mayor or any other juſtice of the peace of the ſaid city with or without ſureties for ſuch perſons being of the good behaviour, and keeping the peace to all his Majeſty's ſubjects, for any term not exceeding ſeven years.

Wages ſettled at eaſter ſeſſions yearly, recorder or deputy preſent,

XLIII. And whereas the yearly aſcertaining the wages to be paid to the ſeveral artificers in the ſaid city of Cork will in a great meaſure tend to prevent unlawful combinations amongſt ſuch artificers: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the court of general quarter ſeſſions of the peace for the ſaid city and county of the ſaid city of Cork, the recorder or deputy recorder of the ſaid city being preſent, yearly at every eaſter ſeſſions to aſcertain what wages or ſum of money every maſon, carpenter, ſlator, cooper, or other artificer ſhall take and be paid by the day, or by the certain denomination, piece or parcel of work or job, either with or without meat and drink, during the year following; and that all the ſaid artificers take and receive ſuch wages and ſums of money, and no more, on pain of forfeiting any ſum of money or thing they ſhall take to the contrary, one half of it to the governors of ſaid work-houſe for the uſe of ſaid work-houſe, and the other half to the proſecutor, and to be impriſoned at the diſcretion of the ſaid court of general quarter ſeſſions of the peace for any time not exceeding three months, upon conviction of the offender in a ſummary way at the ſaid court of general quarter ſeſſions of the peace, or at any adjournment thereof, by the oath of one or more witneſs or witneſſes, which oath the ſaid court is hereby authorized to adminiſter, or by the confeſſion of the offender.

if more taken forfeited,

and impriſoned not above 3 months.

Not below the accuſtomed prices.

XLIV. Provided always, that the ſaid court of general quarter ſeſſions of the peace ſhall not aſcertain the wages of ſuch artificers at a lower rate or ſum, than the accuſtomed prices uſually paid in the ſaid city of Cork to ſuch artificers reſpectively.

XLV. And

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If wages not paid, double value,

if above 40s. by civil bill.

XLV. And be it enacted by the authority aforeſaid, that every perſon, who ſhall employ the ſaid artificers or any of them, ſhall pay to ſuch artificers reſpectively the wages and ſums of money ſo to be aſcertained as aforeſaid; and in default thereof that every artificer, from whom ſuch wages and ſums of money have been withheld, ſhall be entitled to recover double the value thereof; to be recovered, if to the amount of forty ſhillings or under, in a ſummary way in the court of conſcience in the ſaid city upon the oath or oaths of one or more witneſs or witneſſes; and if above forty ſhillings by civil bill at the next aſſizes to be held for the county of the ſaid city.

Certificate of order concluſive.

XLVI. And be it enacted by the authority aforeſaid, that the order of the quarter ſeſſions, certified by the town clerk, ſhall be concluſive evidence of the ſaid ſeveral rates and wages.

7 tumultuouſly aſſembling, not diſperſing in 1 hour after reading this clauſe, or any attempting to hinder reading,

XLVII. Be it further enacted by the authority aforeſaid, the better to prevent all tumultuous aſſemblies and unlawful combinations within the ſaid city, or county of the ſaid city, that in caſe any perſons, to the number of ſeven or more, not legally authorized, ſhall riotouſly and tumultuouſly aſſemble themſelves together within the ſaid city or county of the ſaid city, and ſhall not diſperſe themſelves within one hour after the reading of this clauſe of this act by the mayor or either of the ſheriffs, or any other juſtice of the peace of the ſaid city; or in caſe any perſon or perſons ſhall hinder or attempt to hinder the ſaid mayor, or either of the ſheriffs, or any one juſtice of the peace, from reading this clauſe of this act to the perſons ſo aſſembled as aforeſaid; or in caſe any perſons to the number of ſeven or more, ſo aſſembled as aforeſaid, ſhall by force enter or attempt to enter the dwelling houſe, warehouſe, ſhop, cellar, yard, loft, linney, or building of any inhabitant of ſaid city, or the county of the ſaid city, without the conſent of the poſſeſſor thereof, and without lawful authority for ſo doing, or ſhall by force enter or attempt to enter any ſhip, lighter, boat, bark, or veſſel, lying at any of the quays of the ſaid city, or at any other place or places in the river, or within the harbour of the ſaid city, without lawful authority for ſo doing, being thereof convicted in a ſummary way by the oath of one or more witneſs or witneſſes before the mayor or any juſtice of the peace for the ſaid city, which oath the ſaid mayor or any juſtice of the peace of ſaid city are reſpectively impowered and required to adminiſter, or by the confeſſion of the party, every perſon offending herein ſhall ſuffer impriſonment not exceeding ſix months without bail or mainprize, and be once or oftner at the diſcretion of the

7 by force attempting to enter houſe, ſhip, &c.

impriſonment 6 months, whipping, and recognizance, 40l.

the ſaid mayor or juſtice publickly whipped in manner herein before mentioned; and every ſuch perſon or perſons ſhall, before he or they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizance in a ſum not exceeding forty pounds before the mayor, or any other juſtice of the peace for the ſaid city, with or without ſureties for ſuch perſons being of the good behaviour, and keeping the peace to all his Majeſty's ſubjects for any term not exceeding ſeven years.

XLVIII. Whereas it has been found very difficult to detect and convict perſons concerned in unlawful aſſemblies and combinations, by reaſon that ſuch unlawful aſſemblies are held ſecretly and in private places in the houſes and preſence of perſons, whoſe teſtimony cannot be had, as the law ſtands, they themſelves being guilty or party in ſuch offences: be it enacted by the authority aforeſaid, that from and after the firſt day of July one thouſand ſeven hundred and ſeventy two it ſhall and may be lawful to and for the ſaid mayor, or any other juſtice of the peace of the county of the city of Cork, upon affidavit made before him that it is ſuſpected there is or has been any combination or unlawful aſſembly in the ſaid city or county thereof, to ſummon any perſon or perſons charged or ſuſpected with being concerned in ſuch unlawful aſſembly or combination, and to adminiſter an oath to ſuch of the perſons ſo ſummoned, as ſuch mayor or juſtice in his diſcretion ſhall think fit; and every ſuch perſon ſhall ſwear to anſwer all ſuch queſtions, as ſhall be demanded of him touching ſuch combinations or unlawful aſſemblies, and ſhall diſcover the names and places of abode to the beſt of his, her, or their knowledge and belief of the ſeveral perſons, who have acted or been concerned in any ſuch combination or unlawful aſſemblies, and ſhall anſwer all ſuch other queſtions concerning ſuch unlawful aſſemblies or combinations, as ſhall be propoſed by ſuch mayor or juſtice, and ſhall not by any plea or demurrer cover or conceal the ſame; and ſuch examination ſhall be reduced into writing, and ſigned by the mayor or ſuch other juſtice, before whom the ſame are taken, and by the party or parties ſo examined.

Summons on affidavit of ſuſpicion of combination or unlawful aſſembly, and oath adminiſtered, to anſwer all queſtions thereon, diſcover names and abode of thoſe concerned, no plea or demurrer, examination written and ſigned.

XLIX. Provided always that ſuch examination ſhall never afterwards upon any occaſion whatever be allowed to be given as evidence to charge the perſon ſo giving the ſame.

Not afterwards given in evidence to charge party.

L. And be it enacted by the authority aforeſaid, that ſuch perſon or perſons ſo examined ſhall be bound by recognizance in a ſum not exceeding twenty pounds to appear at ſuch time and place within the ſaid city, as ſhall be ſpecified in ſuch recognizance,

20l. recognizance to appear and proſecute,

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cognizance, and to profecute before the ſaid mayor or juſtice, in the ſummary manner herein before ſet forth the perſon or perſons mentioned by him, her, or them in ſuch examination to have been concerned in ſuch unlawful aſſemblies or combinations; and in caſe any ſuch perſon or perſons ſo ſummoned ſhall neglect or refuſe to appear before ſuch mayor or other juſtice purſuant to ſaid ſummons, or to take ſuch oaths as aforeſaid, or to give his, her, or their teſtimony, and be examined in manner aforeſaid, or to ſign ſuch examination, or to enter into ſuch recognizance, the ſaid mayor or other juſtice ſhall iſſue one or more warrant or warrants, and cauſe ſuch perſon or perſons to be impriſoned in the city gaol for any time not exceeding three months, or be ſent to bridewell or the houſe of correction, there to be kept at hard labour for one month; and in caſe ſuch perſon or perſons ſo examined ſhall neglect or refuſe to give his, her, or their teſtimony at the time and place, at which they ſhall be bound to appear, in every ſuch caſe the mayor or any ſuch juſtice ſhall reſpectively forthwith upon ſuch default or refuſal iſſue his warrant or warrants to apprehend and detain in execution in the city gaol of Cork the body or bodies of the perſon or perſons making ſuch default or refuſing to give his, her, or their teſtimony as aforeſaid, until he, ſhe, or they ſhall pay and ſatisfy the penalty of the reſpective recognizances, to be applied and paid over to the governors of the work-houſe of the ſaid city for the uſe of the ſaid work-houſe.

on neglect impriſoned 3, or to bridewell 1, month.

not teſtifying detained in execution till penalty paid,

for work-houſe.

LI. And be it further enacted by the authority aforeſaid, that upon any ſuch examination or affidavit being given or made before the mayor or ſuch juſtice it ſhall be lawful for the ſaid mayor or ſuch juſtice of the peace to iſſue his warrant to apprehend each of the perſons accuſed, and to bind him in a recognizance of forty pounds with or without ſureties, if not immediately proſecuted, to appear at ſuch time and place within ſaid city, as ſhall be ſpecified in ſuch recognizance, to anſwer ſuch matters as ſhall be alledged againſt him in and by ſuch affidavit or examination; and in caſe the perſon ſo accuſed ſhall neglect or refuſe to appear at ſuch time and place, it ſhall be lawful for the ſaid mayor or other juſtice to iſſue his warrant under his hand and ſeal to apprehend and detain in execution in the city gaol of Cork the body of the perſon ſo accuſed, and the bodies of his ſecurities, until he and the ſaid ſecurities ſhall pay and ſatisfy the penalties of their ſaid recognizance, to be applied and paid over to the governors of the work-houſe of the ſaid city for the uſe of the ſaid work-houſe; and in caſe the perſon ſo accuſed and apprehended cannot procure

Accuſed bound 40l. to appear,

on default impriſoned till payment.

ſufficient ſecurity for his appearance, it ſhall be lawful for the ſaid mayor or ſuch juſtice to commit him to gaol, until ſuch complaint ſhall be enquired into, heard, and determined in manner herein before ſet forth.

Complaint heard in 3 days from commitment.

LII. Provided always, that when the perſon or perſons ſo accuſed ſhall be committed to gaol, ſuch complaint ſhall be heard within three days from the time of his, her, or their commitment, otherwiſe the perſon ſo committed ſhall be diſcharged.

On teſtimony to conviction excul-pated.

LIII. Provided always, that ſuch perſon and perſons, as ſhall give teſtimony againſt ſuch offender or offenders to conviction, ſhall for ever be diſcharged and exculpated from all puniſhments, which they or any of them may be liable to for or on account of their or any of their being concerned in ſuch unlawful combinations mentioned in their or any of their teſtimony, and for which ſuch offender or offenders ſhall be convicted.

Preſentment for coroners ten guineas each aſſizes.

LIV. Whereas the mayor, ſheriffs, and commonalty of the city of Cork are impowered by charter to elect two coroners for the county of the city of Cork: and whereas by law no adequate payment is provided for ſuch officers for their trouble in the execution of the ſaid office of coroner: be it therefore further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the grand jury at each aſſizes, to be held in every year for the county of the ſaid city of Cork, to preſent (along with other publick money) the ſum of ten guineas, to be raiſed along with ſuch other publick money, and to be paid to the coroners of the county of the ſaid city of Cork for half a year's ſalary, ending at the ſaid reſpective aſſizes.

30l. to crown clerk.

LV. Whereas the office of clerk of the crown of the county of the ſaid city of Cork is very troubleſome and expenſive on account of the great number of ſmall felonies tried at the ſaid aſſizes, the perſons charged with ſuch ſmall felonies being extremely poor and indigent, and being generally on their acquittal diſcharged out of cuſtody by the clerk of the crown of the county of the ſaid city of Cork without the payment of fees: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the grand jury at each of the aſſizes, to be held in every year for the county of the ſaid city of Cork, to preſent (along with other publick money) the ſum of thirty pounds to be raiſed along with ſuch other publick money, and to be paid to the clerk of the crown of the county of the ſaid city of Cork for his trouble in attending and executing the ſaid office at the ſaid aſſizes.

LVI. Whereas large cargoes of ſalt are annually imported into the ſaid city of Cork for the ſalting of proviſions annually made

up

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up in the ſaid city of Cork for exportation: and whereas great frauds are committed by the perſons, who undertake to meaſure the ſalt on board or from on board any ſhip or other veſſel between the buyer and ſeller: therefore be it enacted by the authority aforeſaid, that the mayor of the ſaid city of Cork ſhall annually appoint a ſufficient number of honeſt and ſkilful perſons to meaſure ſuch ſalt on board or from on board any ſhip or other veſſel in the ſaid city of Cork between buyer and ſeller during the mayoralty of the ſaid mayor; and that each of the ſaid ſalt meaſurers, before he acts in the ſaid office, ſhall be ſworn before the ſaid mayor fairly, juſtly, and impartially to meaſure the ſaid ſalt between buyer and ſeller without favour to either of the parties, which oath the ſaid mayor is hereby impowered to adminiſter; and that it ſhall and may be lawful to and for the ſaid mayor to remove any of the ſaid ſalt meaſurers from his ſaid office for miſbehaviour, and to appoint another in his room, and alſo on proof being made before the ſaid mayor by the oath of one or more witneſs or witneſſes, which oath the ſaid mayor is hereby authorized to adminiſter, of the miſbehaviour of any ſuch ſalt meaſurer in his ſaid office, that it ſhall and may be lawful to and for the ſaid mayor to commit the offender to the houſe of correction, there to be kept at hard labour for any time not exceeding the ſpace of one kalendar month; and that in caſe any perſon ſhall meaſure ſalt on board or from on board any ſhip or veſſel in the ſaid city of Cork between buyer and ſeller, who ſhall not be ſo appointed by the ſaid mayor, and ſworn before ſaid mayor as aforeſaid, ſuch perſon being thereof convicted in a ſummary way before ſaid mayor by the oath of one or more witneſs or witneſſes, which oath ſaid mayor is hereby authorized to adminiſter, ſhall forfeit, for each time ſuch perſon ſhall ſo meaſure ſalt, the ſum of twenty ſhillings, to be levied by the warrant of the ſaid mayor, of the goods and chattles of the offender, one half thereof to be paid to the proſecutor, and the other half thereof to be paid to the governors of the work-houſe of the ſaid city of Cork for the uſe of the ſaid work-houſe; and that it ſhall and may be lawful for the ſaid mayor, ſheriffs, and common council of the ſaid city of Cork, or the majority of them, from time to time to aſcertain the fees to be paid to the ſaid ſalt meaſurers for meaſuring ſuch ſalt in the ſaid city between buyer and ſeller, and by whom the ſaid fees are to be paid, whether by the buyer or by the ſeller, or equally between both, and that no other fees ſhall be paid or received for meaſuring ſaid ſalt in the ſaid city between buyer and ſeller, but thoſe to be aſcertained by the mayor, ſheriffs, and common council of the ſaid city of Cork.

Salt meaſurers appointed annually,

ſworn,

removed for miſbehaviour,

committed 1 month,

20s. to proſecutor and work-houſe on others meaſuring,

fees aſcertained by mayor, &c.

LVII. Pro-

LVII. Provided always, that the appointment and removal of the ſaid meaſurers of ſalt, and every of them, ſhall be approved of by a court of doyer hundred in ſix months after his or their admiſſion, or otherwiſe that every ſuch appointment and removal ſhall be null and void to all intents and purpoſes whatſoever.

Meaſurers approved by doyer hundred in 6 months.

LVIII. Whereas the recognizance forfeited at the general aſſizes and general quarter ſeſſions of the peace, held for the county of the ſaid city of Cork, have not been levied by the ſheriffs of the county of the ſaid city of Cork, partly on account of there not being a ſufficient reward or recompence provided by law for the trouble of the ſheriff of the county of the ſaid city in levying the ſaid forfeited recognizances: and whereas the not levying the ſaid forfeited recognizances has partly impeded the adminiſtration of juſtice at the aſſizes and court of quarter ſeſſions held in and for the ſaid city and county thereof: for remedy whereof be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſheriffs of the county of the ſaid city to retain to their own uſe and for their trouble the ſum of two ſhillings and ſix pence in the pound for all money, they ſhall levy by virtue of ſuch green wax proceſſes, and that the ſaid ſheriffs ſhall be allowed the ſame on paſſing their accounts with the ſaid court of exchequer.

Sheriffs to retain 2s. and 6d. per pound on green wax proceſs.

LIX. Be it further enacted by the authority aforeſaid, that this act ſhall in all courts and places be deemed and taken to be a publick act, and ſhall be judicially taken notice of by all judges, juſtices, and courts whatſoever without ſpecially pleading the ſame; and that if any replevin ſhall be brought for any diſtreſs taken purſuant to this act, and if any perſon or perſons ſhall be ſued for any thing done by virtue and in purſuance of this act, the defendant or defendants in ſuch replevin, and ſuch perſon or perſons as ſhall be ſued, may plead the general iſſue, and give this act and the ſpecial matter in evidence for his or their defence; and if the plaintiff or plaintiffs ſhall diſcontinue his, her, or their ſuit or action, or be nonſuited, or if judgment ſhall be given againſt him, her, or them on verdict or demurrer, the defendant or defendants ſhall recover double coſts of ſuit.

A publick act.

general iſſue pleaded, &c.

& double coſts to defendants.

CHAP. XIX.

An act for reviving and continuing ſeveral temporary ſtatutes that have lately expired, and for continuing others that are near expiring.

Papiſts,

8 *Anne* c. 3. ſ. 18. as to encouragement to prieſts to conform revived and continued 11 years, &c.

WHEREAS an act of parliament paſſed in this kingdom in the eighth year of the reign of her late Majeſty Queen Ann, entitled, *An act for explaining and amending an act*, entitled, *An act to prevent the further growth of popery*, ſuch part thereof, as relates to the encouragement of popiſh prieſts becoming proteſtants, having expired, was revived and continued by an act made in the thirty firſt year of the reign of his late Majeſty King George the ſecond, but hath lately expired, and is fit to be revived and continued: be it enacted by the King's moſt Excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid recited act, ſo far as it relates to the encouragement to popiſh prieſts to conform, ſhall be revived and continue in force for the term of eleven years, and from thence to the end of the then next ſeſſion of parliament.

Watch,

Clauſe in 10 *G.* 1. c. 3. as to pariſh watch revived and continued 9 years, &c. & to 24 *June* 1776 *&c. by* 13 & 14 *G.* 3. *c.* 41. ſ. 5.

II. And be it further enacted by the authority aforeſaid, that a clauſe in an act of parliament, paſſed in this kingdom in the tenth year of the reign of his late Majeſty King George the firſt, entitled, *An act for continuing and amending an act for better regulating the pariſh watches, and amending the highways in this kingdom, and for preventing the miſapplication of publick money, and alſo for eſtabliſhing a regular watch in the city of Dublin, and to prevent miſchiefs which may happen by graving in the river Liffey*, which clauſe relates to pariſh watches and highways in this kingdom, and was revived and continued from time to time by other ſubſequent acts of parliament, but hath lately expired: which clauſe, ſo far as it relates to pariſh-watches, ſhall be revived and continue in force for the term of two years, and from thence to the end of the then next ſeſſion of parliament.

Judgments,

9 *G.* 2. c. 5. as amended by 25 *G.* 2. c. 14. as to aſſignment of

III. And whereas an act of parliament paſſed in this kingdom in the ninth year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the more effectual aſſigning of judgments, and for the more ſpeedy recovery of rents by diſtreſs*; which was explained and amended by an act paſſed in this kingdom

in

in the twenty fifth year of the reign of his ſaid late Majeſty, and which ſaid act of the ninth year of the reign of his ſaid late Majeſty, ſo far far as it relates to the aſſignment of judgments, had expired, but was revived and continued by an act, which paſſed in the eleventh year of the reign of his preſent Majeſty, entitled, *An act for reviving, continuing, and amending ſeveral temporary ſtatutes:* And whereas it is thought fit, that the ſame ſhall be made perpetual: be it enacted by the authority aforeſaid, that the ſaid act of the ninth year of the reign of his ſaid late Majeſty, ſo far as it relates to the aſſignment of judgments, ſtatutes ſtaple, or ſtatutes merchant, and as the ſame was amended and explained by the ſaid act of the twenty fifth year of his ſaid late Majeſty, ſhall be and remain in full force to all intents and purpoſes for ever.

judgments and ſtatutes, perpetual.

IV. And be it further enacted by the authority aforeſaid, that a clauſe in an act paſſed in the ſeventeenth year of the reign of his late Majeſty King George the ſecond, intitled, *An act to prevent the pernicious practice of burning land, and for the more effectual deſtroying of vermin*, and which clauſe relates to the giving rewards for the more effectual deſtroying of vermin, and which clauſe with an exception for rooks and herons was from time to time revived and continued by other ſubſequent acts, and is now near expiring, ſhall be continued and remain in force from the twenty fourth day of June one thouſand ſeven hundred and ſeventy two for two years, and to the end of the then next ſeſſions of parliament, with the following amendments, *viz.* that an affidavit be produced to the grand jury of the county, in which ſuch vermin was killed or deſtroyed, ſworn before any two juſtices of the peace for ſuch county, in the following form, which oath ſuch juſtices are hereby impowered to adminiſter:

Vermin,

Clauſe in 17 *G.* 2. c. 10. ſ. 8. continued with amendment from 24 June 1772 2 years, &c.

affidavit before 2 juſtices, and their certificate annexed produced to grand jury where vermin killed.

County of *I.* A. B. *of* *in the ſaid county, do ſwear, that I have killed within this county, ſince the laſt aſſizes held for the ſame, the following vermin,* viz.

and that all the ſaid kites, ſcallcrows, or magpies, were killed between the month of September *laſt paſt and the month of* March.

The affidavit.

Provided, that a certificate annexed to ſuch affidavit, ſigned by ſuch two juſtices, ſhall be produced to ſuch grand jury in the following form:

We

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We A. B. *and* C. D. *justices of the peace for this county do certify, that* E. F. *of* . *in this county, hath produced to us the heads of the abovementioned kites, scallcrows, or magpies, and the skins of the abovementioned otters, martins, weezles, or rats.*

The certificate.

Game,

V. And be it further enacted by the authority aforesaid, that an act passed in this kingdom in the third year of the reign of his present Majesty, entitled, *An act for the better preservation of the game,* and also that a clause in an act of parliament passed in this kingdom in the thirty first year of the reign of his late Majesty, King George the second, entitled, *An act for continuing and amending several temporary statutes,* which makes the killing and destroying wild turkies subject and liable to the same penalties and fortfeiures, that the destroying pheasants, partridges, and quails, are made liable to by an act of the twenty fifth year of the reign of his said late Majesty King George the second, which have been continued by subsequent acts of parliament, shall continue in force for two years, and from thence to the end of the then next session of parliament.

3 *G.* 3. c. 23. and clause in 31 *G.* 2. c. 9. s. 4. as to killing wild turkeys, continued 2 years, &c. *& by* 13 & 14 *G.* 3. *c.* 41. *s.* 2.

Quit rent, &c.

VI. And be it further enacted by the authority aforesaid, that an act of parliament passed in this kingdom in the third year of his present Majesty's reign, intitled, *An act for discharging all arrears of quit, crown, and composition rents, which have been growing due for twenty years last past, on the terms and in the manner therein mentioned,* shall be revived and continue in force for the term of ten years, and from thence to the end of then next session of parliament.

3. *G.* 3. c. 22. continued 10 years, &c.

Papists,

VII. And be it further enacted by the authority aforesaid, that a clause in an act of parliament passed in this kingdom in the third year of the reign of his present Majesty, intitled, *An act for confirming the titles, and for quieting possessions of protestants, and for giving time to converts from popery to perform the requisites of conformity, prescribed by the laws against popery,* which enacts, that all such person or persons, as had theretofore obtained the bishop's certificate of their conformity, and from and after obtaining the same had professed the protestant religion, and had continued protestants, and had not performed all the other legal requisites of conformity, and should perform the same before the first day of December one thousand seven hundred and sixty five, should from the time of his, her, or their conformity from the popish to the protestant religion be deemed and taken to be protestants of the established church to all intents and purposes. Provided always, that nothing therein contained,

Clause in 3 *G.* 3. c. 26. limiting the time for conforming, enlarged last session, but the time near expiring, continued 6 years, &c. *to* 24 *June* 1790 *&c. by* 17 & 18 *G.* 3. *c.* 36. *s.* 9.

should

ſhould bar, defeat, or prejudice any judgment or decree whatſoever in any court of law or equity, or any ſuit then depending on the popery laws; which clauſe to limit the time for performing the ſaid legal requiſites of conformity was enlarged by ſeveral other ſubſequent acts, and particularly by an act of the laſt ſeſſion of parliament, but the time limited by the ſaid laſt mentioned act for performing the ſaid legal requiſites of conformity is now near expiring, ſhall be continued and remain in force for the term of ſix years, and from thence to the end of the then next ſeſſion of parliament.

Riots, 5 *G.* 3. c. 8. continued 7 years, &c.

VIII. And be it further enacted by the authority aforeſaid, that an act of parliament paſſed in this kingdom in the fifth year of his preſent Majeſty's reign, entitled, *An act to prevent for the future tumultuous riſings of perſons in this kingdom, and for other purpoſes therein mentioned*, which was continued by other ſubſequent acts of parliament, and is now near expiring, ſhall be continued and remain in force for the term of ſeven years, and from thence to the end of the then next ſeſſion of parliament.

Tithes, 7 *G.* 3. c. 21. perpetual.

IX. And whereas an act of parliament paſſed in this kingdom in the ſeventh year of the reign of his preſent Majeſty, entitled, *An act to continue and amend an act paſſed in the third year of his Majeſty's reign*, entitled, *An act to explain and amend an act made in the thirty third year of the reign of Henry the eighth*, entitled, *An act for tythes, and for other purpoſes therein mentioned*, and which ſaid act was further continued by another act made in the eleventh year of his preſent majeſty, entitled, *An act for reviving, continuing, and amending ſeveral temporary ſtatutes:* be it further enacted by the authority aforeſaid, that the ſaid act paſſed in the ſeventh year of the reign of his preſent Majeſty ſhall be made perpetual.

Drugs. 1 *G.* 3. c. 14. continued to 24 June 1774, &c.

X. And whereas an act paſſed in this kingdom in the firſt year of the reign of his preſent Majeſty King George the third, intituled, *An act for preventing frauds and abuſes in the vending, preparing, and adminiſtring drugs and medicines*, which has been continued by ſubſequent acts of parliament, is fit to be continued: therefore be it enacted by the authority aforeſaid, that the ſaid act of parliament ſhall continue in force until the twenty fourth day of June, which will be in the year of our lord one thouſand ſeven hundred and ſeventy four, and to the end of the then next ſeſſion of parliament.

Coal,

XI. And be it further enacted by the authority aforeſaid, that an act paſſed in the thirty firſt year of the reign of his late

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Majeſty King George the ſecond, intitled, *An act for the better ſupplying the city of Dublin with coals, and for the better encouragement of the collieries of this kingdom*, which was continued by one or more ſubſequent act or acts of parliament, ſhall continue in force until the twenty fourth day of June, which will be in the year one thouſand ſeven hundred and ninety two, and to the end of the then next ſeſſion of parliament.

31 *G.* 2. c. 14. continued to 24 June 1792, &c.

XII. And whereas by an act paſſed in this kingdom in the third year of his preſent Majeſty's reign, intitled, *An act for veſting further powers in the lord mayor, commons, and citizens of the city of Dublin, for the ſecuring of ſhips trading to the port and harbour of Dublin*, a committee was thereby conſtituted and appointed for the purpoſes of carrying the ſaid act into execution, conſiſting of the lord mayor and ſheriffs of the ſaid city for the time being and five aldermen, ten members of the commons of the common council, and fifteen merchants free of the ſix and ten *per centum* at the cuſtom-houſe; and it is by the ſaid act provided, that at all meetings of the ſaid committee, to be had or held in purſuance of the ſaid act, any number of members preſent, not being leſs than ſeventeen, ſhall be a number ſufficient for ordering, managing, and tranſacting of all matters relative to the nominating and diſplacing of haven maſters, pilots, and lightermen, and to the making of orders and regulations for the direction of their conduct, and to the making or iſſuing orders for the payment of money; and that a number not leſs than eleven ſhall be ſufficient for all other their more ordinary buſineſs: and whereas many inconveniencies have been found to ariſe from ſo many members being obliged to attend in order to conſtitute the different committees to tranſact the buſineſs thereof: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the firſt day of May in the year of our lord one thouſand ſeven hundred and ſeventy two at all meetings of the ſaid committee, to be had or held in purſuance of the ſaid recited act, any number of members of the ſaid committee, not being leſs than eleven, ſhall be a number ſufficient for the ordering, management, and tranſacting of all matters relative to the nominating and diſplacing of haven maſters, pilots, and lightermen, and to the making of orders and regulations for the direction of their conduct, and to the making or iſſuing orders for the payment of money; and that a number not leſs than five ſhall be ſufficient for all other their more ordinary buſineſs, purſuant to the powers veſted in the

At a committee to execute 3 *G.* 3. c. 15.

11 members ſufficient for all matters as to haven-maſters, pilots, and lightermen, and for orders to pay money,

5 ſufficient for more ordinary buſineſs,

Inconvenient to oblige ſo many to attend on committees purſuant to 3 *G.* 3. c. 15. ſ. 15.

Corporations,

ſaid committee by the ſaid recited act; any thing in the ſaid recited act contained to the contrary notwithſtanding.

XIII. And whereas a clauſe in an act paſſed in the firſt year of the reign of his preſent Majeſty, intitled, *An act for reviving, continuing, and amending, ſeveral temporary ſtatutes, and for other purpoſes therein mentioned,* ſo far as the ſame relates to the ſwearing of officers of boroughs and corporations, has been found beneficial to the public: and whereas by the charters of ſeveral boroughs and corporations a majority of the burgeſſes or other members of ſuch boroughs or corporations are required to be preſent at the ſwearing of the portrieve or other chief magiſtrate of the ſame, which is frequently attended with great inconvenience to the members of ſuch boroughs and corporations: for remedy whereof be it enacted by the authority aforeſaid, that no perſon, who hath been or ſhall be duly elected into any ſuch office, or in any ways ſued, moleſted, or proſecuted for or on account of any objection, which ſhall be taken, becauſe there had not been a ſufficient number of burgeſſes or other members of ſuch borough or corporation preſent at the ſwearing of ſuch officer; provided ſuch officer ſhall have taken the oaths required by law in the preſence of two of the burgeſſes or members of ſuch borough or corporation in the publick market houſe or town houſe, or uſual place of holding aſſemblies of ſuch borough or corporation, between the hours of ten in the morning and three in the afternoon; and ſuch officers ſhall be deemed legal officers of ſuch boroughs and corporations; and all corporate acts, which have been or ſhall be done by them, ſhall have the ſame force and effect, as if ſuch officers had been reſpectively ſworn purſuant to the direction of the ſaid reſpective charters.

1 *G.* 3. c. 17. ſ. 21. as to ſwearing officers of boroughs beneficial,

by ſeveral charters a majority required preſent at ſwearing chief magiſtrate,

inconvenient to the members,

officers duly elected tho' not a ſufficient number of members required by charter preſent at ſwearing, on taking the oaths before 2 at the uſual place between 10 and 3 deemed legal.

Limerick,

XIV. And whereas by the ſaid laſt mentioned act of the third year of the reign of his preſent Majeſty an act, intitled, *An act for the more equal aſſeſſing and better collecting of publick money in counties of cities, and counties of towns,* which paſſed in this kingdom in the thirty third year of the reign of his late Majeſty, was continued thereby, and has been found beneficial to the publick: and whereas from the increaſe of buildings and inhabitants in the city of Limerick the number and expences of the high roads leading thereto have alſo greatly increaſed of late years, and it is found neceſſary to employ a treaſurer very converſant in accounts, and who can give ample ſecurity for ſuch ſums, as are neceſſary to be raiſed in the county of the ſaid city: be it enacted by the authority aforeſaid, that from and after the twenty

33 *G.* 2. c. 7. continued by 1 *G.* 3. c. 17. ſ. 23. beneficial,

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twenty fourth day of June next the grand jury at the aſſizes, to be held for the ſaid county of the city of Limerick, ſhall and may be impowered to encreaſe by preſentment the yearly ſalary of the treaſurer of the county of the ſaid city, ſo as not to exceed twenty pounds a year annually, over and above ſuch ſalary as the ſaid grand jury are impowered to preſent for the treaſurer of the county of the ſaid city by the laws now in being.

Salary of treaſurer for *Limerick* increaſed by preſentment not above 20l. yearly.

Dublin,

XV. And whereas doubts have ariſen, whether the chairman and juſtices of the county of Dublin can ſit after the beginning of term, and during the ſitting of his Majeſty's court of king's bench: and whereas the buſineſs of the ſaid court of ſeſſions of ſaid county of late is ſo great, that oftentimes it cannot be executed without adjourning the ſame during the continuance of the term, to the great inconvenience of the ſuitors attending ſaid court: be it enacted by the authority aforeſaid, that the chairman at ſaid ſeſſions together with the juſtices of the peace of the ſaid county of Dublin ſhall have full power and authority to attend and execute the buſineſs of the ſaid ſeſſions notwithſtanding the ſitting of the ſaid court of king's bench.

Seſſions for county of Dublin notwithſtanding ſitting of B. R.

CHAP. XX.

An act for the making of narrow roads through the mountainous unimproved parts of this kingdom.

WHEREAS there are in ſeveral parts of this kingdom extenſive tracts of land of a mountainous nature, and in a rude uncultivated ſtate, and it would greatly contribute to the improvement thereof, if roads were made through the ſame; and yet from the nature of the country it would be in ſome caſes impracticable, and from the poverty of the few inhabitants therein it would generally be inexpedient and unneceſſary, to be at the expence of making ſuch wide roads therein, as are proper in other places differently circumſtanced: and whereas by the laws now in force no proviſion is made for the making or repairing of ſuch narrow roads, as are ſuitable to the ſituation and circumſtances of ſuch mountainous tracts of land: for remedy thereof be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June next

Barony preſentment for new, or for repairing old, roads thro' mountainous unimproved

next it ſhall and may be lawful for the grand jury of any county at the aſſizes to preſent ſuch ſum or ſums of money, as they ſhall think fit, to be raiſed upon any barony or half barony in ſuch county for the making of new or repairing of old roads through any mountainous unimproved parts of ſuch barony or half barony of ſuch a breadth, with ſtones or gravel, and of ſuch breadth between the ditches, drains, or fences, as to the grand juries of each reſpective county, in which ſuch lands lie, ſhall ſeem ſuitable to the nature of the place, through which ſuch road ſhall run, and as ſhall be aſcertained in the preſentment for that purpoſe; as alſo for the wages of the overſeer or overſeers of every ſuch road, not exceeding three pence for each perch ſo to be by him made or repaired according to this act; any thing to the contrary thereof in any former law or ſtatute in any manner notwithſtanding.

parts, of ſuch breadth, with ſtones or gravel, as ſuitable to the nature and as aſcertained,

and for overſeers not above 3d per perch.

II. Provided, that no money ſhall be ſo preſented for the making or repairing of any ſuch road, unleſs an affidavit ſhall be previouſly made by two credible perſons, who can read and write, before one of the judges of aſſize, or before two juſtices of the peace for the ſaid county, who are hereby impowered to adminiſter the ſame in the following form.

Previous affidavit by two literate before one judge or two juſtices.

County of } *A. B. of and C. D. of*
do ſwear, that they have lately viewed and meaſured perches of a road from to between and all in the barony of in ſaid county, and that it will require the ſum of to make and repair the ſaid perches of road wide in the clear, and feet wide, at the leaſt, with ſtones or gravel, being at the rate of by the perch, which, they verily believe, is the leaſt the ſaid perches can be ſufficiently ſo made and repaired for, and that the ſaid road is in a mountainous unimproved part of ſaid barony, where ſuch road is much wanting, and where the expence of making a wider road would be an unneceſſary charge on ſaid barony;

Affidavit,

which affidavit the clerk of the crown of ſuch county is hereby required to file and keep amongſt the records of ſuch county; and that no money ſhall be paid on account of any ſuch preſentment by the treaſurer of any county, until the affidavit of one of the overſeers, appointed by the grand jury, ſworn before one

filed, no payment by treaſurer, until affidavit of one overſeer before a judge allowed,

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of the judges of aſſize, and in the following form, ſhall be allowed of by the grand jury and by the judges of aſſize.

Overſeer's affidavit,

County of } *Whereas the ſum of was preſented by the grand jury of ſaid county, at aſſizes, in the year to be expended in making and repairing perches of the mountain road, from to between and feet wide in the clear, and feet wide at the leaſt, with ſtones or gravel, being at the rate of by the perch. Now I A. B. one of the overſeers appointed by the grand jury do ſwear, that I have honeſtly and faithfully expended, or cauſed to be expended, the ſum of in making and repairing perches of the ſaid road, and that the ſaid perches, and every part of the ſame, are made feet wide at the leaſt with ſtones or gravel, and are feet wide in the clear within the ditches, drains, or fences; and that the ſaid ſum with my wages at per perch amounts to*

No preſentment for fences.

III. Provided alſo, that no ſum or ſums ſhall be preſented or levied upon any barony or county for making any fence or fences by the ſide of ſuch mountain roads as aforeſaid.

Not to counties of towns.

IV. And provided alſo, that this act ſhall not extend to any county of a city or county of a town.

CHAP. XXI.

An act to encourage the reclaiming of unprofitable bogs.

WHEREAS there are large tracts of deep bogs in ſeveral counties of this kingdom, which in their preſent ſtate are not only unprofitable, but by their damps render the air unwholeſome; and it hath been proved by experience, that ſuch bogs are capable of improvement, and be converted into arable or paſture land, if encouragement was given to the lower claſs of people to apply their induſtry to the reclaiming of the ſame: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that every papiſt or perſon profeſſing the popiſh religion, who ſhall be deſirous to employ his induſtry and money for the improvement of the kingdom by the reclaiming of unprofitable bog, ſhall be at liberty to take a leaſe of any tract or quantity

Papiſt notwithſtanding the laws may take leaſe 61 years of 50 acres of bog and half an

quantity of ſuch bog, not exceeding fifty acres plantation meaſure, and one half of an acre of arable land, as a ſite for an houſe, or for the purpoſe of delving for gravel or limeſtone for manure, next adjoining to ſuch bog, and to hold the ſame at ſuch rent as ſhall be agreed upon between him and the owner of ſuch bog, for any term of years not exceeding ſixty one years, the laws made to prevent the further growth of popery to the contrary notwithſtanding.

½ acre arable adjoining, as ſite for an houſe, or delving for manure, at rent agreed.

II. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for every tenant for life, archbiſhop, biſhop, and body corporate, eccleſiaſtical or civil, to make leaſes of any unprofitable bog for the purpoſe of reclaiming the ſame, and alſo of any quantity of arable land, not exceeding one half of an acre, as a ſite for an houſe, or for the purpoſe of delving for gravel or limeſtone for manure, next adjoining to ſuch bog, for any term not exceeding ſixty one years, at ſuch rent as ſhall be agreed upon: provided that no greater quantity of ſuch bog ſhall be ſo ſet to any one perſon than fifty acres, plantation meaſure: and provided, that from the expiration, ſurrender, or other determination of ſuch leaſe no longer leaſe of ſuch bog, ſo to be reclaimed, ſhall be made by any eccleſiaſtical perſon or body corporate, than ſuch leaſe as is preſcribed by an act made in the eleventh year of King Charles the firſt, intituled, *an act for the preſervation of the inheritance, rights, and profits of lands belonging to the church and perſons eccleſiaſtical.*

Like leaſe by tenants for life, biſhops, body corporate, for reclaiming bog,

not above 50 acres to one,

and from the determination no longer leaſe by eccleſiaſtick or body corporate, than as by 10 & 11 *C.* 1. c. 3.

III. Provided alſo, that if the bog ſo to be demiſed, or one half part thereof, ſhall not be reclaimed within twenty one years from the commencement of the leaſe to be made thereof, that in ſuch caſe the ſaid leaſe ſhall at the expiration of twenty one years be null and void to all intents and purpoſes.

Void, if half not reclaimed in 21 years.

IV. And be it further enacted by the authority aforeſaid, that every bog, which ſhall be reclaimed by virtue of or under this act, ſhall be free from payment of tythes, or grand jury or veſtry ceſſes, or applotments, for the term of ſeven years from the time of its being reclaimed, and no longer.

Reclaimed, free from tithes or ceſſes 7 years.

V. Provided always, that no bog ſhall be conſidered as unprofitable ſo as to entitle the reclaimer thereof to the benefit of this act, which ſhall not be four feet deep from the ſurface to the bottom of the bog when reclaimed; nor ſhall any perſon be intitled to the benefit of this act for reclaiming any bog of leſs dimenſions than ten plantation acres; nor ſhall this act extend to any bog lying within one mile of any city or market town.

Such bog 4 foot deep, when reclaimed,

and 10 plantation acres,

not within 1 mile of a town.

CHAP. XXII.

An act to prevent burying dead bodies in churches.

WHEREAS the burying of dead bodies in churches is a practice very injurious to health: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy two no perſon or perſons ſhall bury any dead body, or break up any floor, ground, or pavement within the walls of any church or chapel, or chancel, ayle, room, or place thereunto belonging, under the ſame roof with ſuch church or chapel, or within twelve feet on the outſide of the walls of any church or chapel, for the purpoſe of burying any dead body: and that no eccleſiaſtical perſon ſhall perform that part of the burial ſervice, appointed to be ſaid at the grave of any dead perſon, within the walls of any church or chapel, chancel, ayle, room, or place thereunto belonging, or within twelve feet on the outſide of the walls of any church or chapel; and that every perſon, who ſhall offend herein; ſhall forfeit for every ſuch offence the ſum of ten pounds, to be recovered by civil bill, by the church wardens, or either of them, or by any pariſhioner of the pariſh wherein ſuch offence ſhall be committed, to be accounted for at the next veſtry after the ſame ſhall be received, and laid out in the repairs of ſuch church or chapel.

No burial, nor the ſervice performed within a church, chapel, or under ſame roof, or 12 feet on outſide,

penalty 10l. by civil bill

for repairing the church.

II. Provided always, that nothing herein contained ſhall extend or be conſtrued to extend to prohibit or prevent the burying in any arched vault under any church, chapel, chancel, or ayle, room, or place thereunto belonging, where the only door to ſuch vault opens on the outſide of the walls of ſuch church or chapel, chancel, ayle, room, or place.

Arched vaults, the only door on the outſide, excepted.

III. And be it further enacted by the authority aforeſaid, that this act ſhall be read in every cathedral and pariſh church in this kingdom after morning prayer on every firſt Sunday in May, firſt Sunday in Auguſt, firſt Sunday in November, and firſt Sunday in February, in every year.

Read in churches 4 times a year.

CHAP.

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CHAP. XXIII.

An act for eſtabliſhing an infirmary in the ſouth ſuburbs of the city of Cork, and to veſt an houſe and front lot of ground in the ſouth ſuburbs of ſaid city (or any other houſe or grounds that may be taken) in certain truſtees for ever, and to give ſuch truſtees ſuch power as may be neceſſary to promote and execute the purpoſes of an infirmary in the ſouth ſuburbs of the city of Cork.

WHEREAS the number of ſick increaſing in proportion to the inhabitants of the city of Cork has encouraged many benevolent perſons to propoſe founding another charitable infirmary in the ſouth ſuburbs of the ſaid city: and whereas by a voluntary ſubſcription and ſome charitable benefactions in hand, together with the offers of gentlemen in phyſick and ſurgery and others to aſſiſt ſaid charity by their aſſiduous attendance and aid without fee or reward, they have been enabled to take a large houſe and front lot of ground in the ſouth ſuburbs of the ſaid city of Cork in truſt for ſaid charity, and at a great expence altered and opened it for the reception of patients, Auguſt the ſecond one thouſand ſeven hundred and ſixty two: and whereas from that time many * mean, diſeaſed, and infirm poor perſons have been received into the houſe, and duly attended by phyſicians and ſurgeons without fee or reward, to the great relief of the poor and benefit of the publick, which ſaid houſe, from the length of time it has been built, is now in a decayed and ruinous ſituation: and whereas many benevolent and well diſpoſed inhabitants of ſaid city of Cork are deſirous, that the ſaid houſe and front lot of ground, or any other houſe or ground in the ſouth ſuburbs of the city of Cork, that may be thought more convenient, may be purchaſed or hired by the majority of the truſtees herein after mentioned for erecting an hoſpital on, and ſhall be veſted in the perſons herein after named as a body corporate upon the truſts and to the intents herein after mentioned: now to the intent and purpoſe that the ſaid houſe and front lot of ground in the ſouth ſuburbs of ſaid city of Cork, or any other houſe or ground ſo taken in the ſouth ſuburbs of the ſaid city, that may be thought more convenient by the majority of the truſtees herein after named, may for ever hereafter be appropriated to the ſaid pious and charitable uſes, and for the better carrying into execution the ſaid charitable deſign, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent

HARVARD LAW SCHOOL LIBRARY.

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preſent parliament aſſembled, and by the authority of the ſame, that the ſaid houſe and front lot of ground in ſaid ſouth ſuburbs of ſaid city, or any other houſe or buildings which at any time hereafter ſhall be erected thereon, or ſaid other houſe or piece of ground in the ſouth ſuburbs of ſaid city that may be thought more convenient by the majority of the herein after mentioned truſtees, and any houſe or buildings that at any time hereafter may be erected thereon, ſhall be veſted in the ſeveral perſons herein after named; (that is to ſay) the moſt reverend his grace Michael lord archbiſhop of Caſhel, and his ſucceſſors archbiſhops of Caſhel, the right honourable William earl of Inchiquin, the right honourable Richard earl of Shannon, the right reverend Iſaac lord biſhop of Cork and Roſs, and his ſucceſſors biſhops of Cork and Roſs, the right reverend Jemmat Brown late biſhop of Cork and Roſs, and now biſhop of Elphin, the right reverend Charles lord biſhop of Oſſory, and his ſucceſſors biſhops of Oſſory, the right reverend Charles lord biſhop of Cloyne, and his ſucceſſors biſhops of Cloyne, the right honourable John Hely Hutchinſon, and William Brabazon Ponſonby eſquires, repreſentatives in parliament for the ſaid city of Cork, and the repreſentatives in parliament for the ſaid city for the time being, Richard Townſend and John Hyde eſquires, knights of the ſhire for the county of Cork, and the knights of the ſhire for the ſaid county for the time being, James Dennis eſquire, the mayor of the ſaid city of Cork, the recorder of the ſaid city of Cork, the ſheriffs of the ſaid city of Cork, all for the time being, Charles Dunbar eſquire, John Ponſonby eſquire, Richard Longfield eſquire, the dean, archdeacon, and chancellor of Cork for the time being, the miniſters of the pariſh of St. Mary Shandon, and his ſucceſſors for the time being, miniſter of St. Anne's pariſh, and his ſucceſſors for the time being, the miniſters of Chriſt church and his ſucceſſors for the time being, the miniſter of the pariſh of St. Paul, and his ſucceſſors for the time being, all in the ſaid city or ſuburbs thereof, and their ſucceſſors for the time being, to the intent and purpoſe, and upon this ſpecial truſt and confidence, that the ſaid houſe and front lot of ground, and the buildings that now are or that may be erected thereon, or any other houſe or ground in the ſouth ſuburbs of the ſaid city of Cork that ſhall be thought more convenient by the majority of the ſaid truſtees, and all buildings which are or ſhall be erected thereon, ſhall for ever hereafter be applied and diſpoſed of to the pious and charitable uſes herein mentioned.

Houſe and front lot of ground in ſouth ſuburbs of Cork, or any other taken veſted in truſtees named, for charitable uſes, herein mentioned,

truſtees,

II. And

Truſtees, for ſaid infirmary may take by leaſe or purchaſe lands in ſouth ſuburbs for any term of years to ſaid uſes.

II. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees for the ſaid infirmary from time to time, and at any time, to accept of or take by leaſe or purchaſe any lands, tenements, or hereditaments, in the ſouth ſuburbs of the ſaid city of Cork, for any term or number of years, to the intent and purpoſe, and upon this ſpecial truſt and confidence, that the ſaid lands, tenements, or hereditaments, ſo given or taken by leaſe, or purchaſed, and all buildings which now are erected or that ſhall be erected thereon, ſhall for ever hereafter be applied to and diſpoſed of to the pious and charitable uſes herein mentioned; and the ſaid lands, tenements, and hereditaments, which ſhall be either as aforeſaid given or taken by leaſe or purchaſed, and all houſes and buildings that are now erected thereon, or that ſhall or may be erected thereon, ſhall be veſted in and ſettled upon the aforeſaid truſtees to be applied and diſpoſed of to the aforeſaid uſes.

A body corporate for ever for executing the charity,

III. And be it enacted by the authority aforeſaid, that from and after the firſt day of July in the year of our lord one thouſand ſeven hundred and ſeventy two there ſhall be a body corporate to continue for ever for the execution of the ſaid charitable deſign, which body corporate ſhall conſiſt of the ſeveral perſons herein after named, that is to ſay, the moſt reverend his grace Michael lord archbiſhop of Caſhel, and his ſucceſſors archbiſhops of Caſhel, the right honourable William earl of Inchiquin, the right honourable Richard earl of Shannon, the right reverend Iſaac lord biſhop of Cork and Roſs, and his ſucceſſors biſhops of Cork and Roſs, the right reverend Charles lord biſhop of Oſſory, and his ſucceſſors biſhops of Oſſory, the right reverend Charles lord biſhop of Cloyne, and his ſucceſſors biſhops of Cloyne, the right honourable John Hely Hutchinſon and William Brabazon Ponſonby, repreſentatives in parliament for the ſaid city of Cork, and the repreſentatives in parliament for the ſaid city for the time being, Richard Townſend and John Hyde eſquires, knights of the ſhire for the county of Cork, and the knights of the ſhire for the ſaid county for the time being, James Dennis eſquire, the mayor of the ſaid city of Cork, the recorder of the ſaid city of Cork, the ſheriffs of the ſaid city of Cork, all for the time being, Charles Dunbar eſquire, John Ponſonby eſquire, Richard Longfield eſquire, the dean, archdeacon, and chancellor of Cork for the time being, the miniſter of the pariſh of St. Mary Shandon and his ſucceſſors for the time being, the miniſter of St. Anne's pariſh and his ſucceſſors for the time being, the miniſter of Chriſt church and his ſucceſſors for the time being, the miniſter

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miniſter of the pariſh of St. Paul and his ſucceſſors for the time being, all in the ſaid city or ſuburbs thereof, for the time being.

IV. And be it further enacted by the authority aforeſaid, that from and after the firſt day of July one thouſand ſeven hundred and ſeventy two the moſt reverend his grace Michael lord archbiſhop of Caſhel, and his ſucceſſors archbiſhops of Caſhel, the right honourable William earl of Inchiquin, the right honourable Richard earl of Shannon, the right reverend Iſaac lord biſhop of Cork and Roſs, and his ſucceſſors lord biſhops of Cork and Roſs, the right reverend Charles lord biſhop of Oſſory, and his ſucceſſors biſhops of Oſſory, the right reverend Charles lord biſhop of Cloyne, and his ſucceſſors biſhops of Cloyne, the right honourable John Hely Hutchinſon and William Brabazon Ponſonby eſquires, repreſentatives in parliament for the ſaid city of Cork, and the repreſentatives in parliament for the ſaid city for the time being, Richard Townſend and John Hyde eſquires, knights of the ſhire for the county of Cork, and the knights of the ſhire for the ſaid county for the time being, James Dennis eſquire, the mayor of the ſaid city of Cork, the recorder of the ſaid city of Cork, the ſheriffs of the ſaid city of Cork, all for the time being, Charles Dunbar eſquire, John Ponſonby eſquire, Richard Longfield eſquire, the dean, archdeacon, and chancellor of Cork for the time being, the miniſter of the pariſh of St. Mary Shandon and his ſucceſſors for the time being, the miniſter of St. Anne's pariſh and his ſucceſſors for the time being, the miniſter of Chriſt church and his ſucceſſors for the time being, the miniſter of the pariſh of St. Paul and his ſucceſſors for the time being, all in the ſaid city of Cork or ſuburbs thereof, and their ſucceſſors for the time being, ſhall for ever thereafter in name and fact to be one body politick and corporate in law for the charitable purpoſes herein contained, and ſhall have perpetual ſucceſſion, and ſhall be called by the name of the truſtees for the ſouth charitable infirmary of the city of Cork, and that they ſhall be enabled to plead and ſue, and to be impleaded and ſued, by that name in all his Majeſty's courts of juſtice, and ſhall and may appoint a common ſeal and ſeals for the uſe of the ſaid corporation, and ſhall have power and authority to meet together as often, as there ſhall be occaſion, and the ſaid truſtees and their ſucceſſors, or any five or more of them, being ſo aſſembled ſhall have power to make ſuch reaſonable laws, rules, orders, and regulations, for the better government and management of the ſaid infirmary, as they ſhall think neceſſary

Named,

have common ſeal,

meet as occaſion,

5 may make or alter rules,

neceſſary and convenient, and to revoke and alter the ſame at their diſcretion.

V. And be it further enacted by the authority aforeſaid, that the ſaid truſtees or any five or more of them ſhall on the firſt Wedneſday, which ſhall be in the month of July one thouſand ſeven hundred and ſeventy two, proceed to elect fifteen fit perſons out of ſuch, as at the time of ſuch election ſhall have been ſubſcribers for the ſpace of twelve calendar months previous to ſuch election towards the ſupport of the ſaid infirmary, and the charitable purpoſes therein to be carried on, which fifteen perſons ſhall be elected by the majority of the truſtees and ſubſcribers to the ſaid infirmary then preſent in the ſaid infirmary houſe; and that ſuch fifteen perſons ſo to be elected, added to the truſtees herein before named, and ſhall to all intents and purpoſes, and as if their names were herein particularly inſerted, be deemed and taken to be truſtees for the ſaid infirmary from the day next after their being elected until the day next after the firſt Wedneſday, which ſhall be in the month of July in the year of our Lord one thouſand ſeven hundred and ſeventy three, and for no longer time, by virtue of ſuch election; and that the ſaid truſtees herein before named, and the truſtees from time to time to be elected, purſuant to this act, or any five of them, ſhall in like manner on the firſt Wedneſday, which ſhall be in the month of July in the year of our Lord one thouſand ſeven hundred and ſeventy three, and on the firſt Wedneſday which ſhall be in the month of July in every ſubſequent year, proceed to elect fifteen fit perſons out of ſuch perſons, as at the time of ſuch election ſhall have been ſuch ſubſcribers as aforeſaid towards the ſupport of the ſaid infirmary, and the charitable purpoſes therein to be carried on; which fifteen perſons ſhall be elected by the majority of the truſtees and ſubſcribers to the ſaid infirmary then preſent in the ſaid infirmary houſe; and that ſuch fifteen perſons, ſo from time to time to be elected, ſhall be added to the truſtees herein before named, and ſhall to all intents and purpoſes, and as if their names were herein particularly inſerted, be deemed and taken to be truſtees for the ſaid infirmary from the day next after their being elected until the day next after the firſt Wedneſday, which ſhall be in the month of July in the year next following the time of their being elected, and for no longer time, by virtue of any one election.

15 ſubſcribers 12 months before elected annually, and added to the truſtees as if herein named.

VI. And be it further enacted by the authority aforeſaid, that the ſaid truſtees for the ſaid infirmary ſhall and may without licence in mortmain purchaſe, take, or receive any manors, lands, tenements, annuities, or hereditaments in poſſeſſion, reverſion, or

Truſtees may take lands 1000l. a year, or any perſonal, for ſaid infirmary.

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or contingency, not exceeding the value of one thouſand pounds a year in the whole, of the alienation, gift, or deviſe of any perſon or perſons having a right, and not being otherwiſe diſabled to alien, grant, or demiſe the ſame, who are hereby enabled to transfer and grant the ſame accordingly, or any goods, chattles, and perſonal eſtate whatſoever, as well for the enlarging the ſaid houſe, rebuilding it, or taking any other houſe or piece of ground in the ſouth ſuburbs of ſaid city, as the majority of the ſaid truſtees ſhould think moſt convenient, or enlarging or building on the ſame, as for the relief, ſupport, and maintenance of the maimed, ſick, and infirm perſons, who are to receive the benefit of the ſaid infirmary.

May recover legacies or gifts in truſt,

VII. And be it further enacted by the authority aforeſaid, that the ſaid truſtees for the ſaid infirmary, and their ſucceſſors, ſhall have power and authority to recover all legacies, gifts, and bequeſts, made to any perſon or perſons whatſoever in truſt for the ſaid infirmary, or for any of the charitable purpoſes therein carried on or to be carried on at any time or times previous to the firſt day of July one thouſand ſeven hundred and ſeventy two.

Leaſe 31 years reſerving half yearly the beſt rent,

VIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees for the ſaid infirmary from time to time by indenture under their common ſeal to demiſe or leaſe any lands, tenements, or hereditaments, veſted or to be veſted in them in purſuance of this act, or any part or parcel thereof, for any term or number of years not exceeding the term of thirty one years, ſo as upon every ſuch demiſe or leaſe there be reſerved and made payable half yearly to the truſtees for the ſaid infirmary and their ſucceſſors during the ſaid term as much rent, as at the time of making ſuch leaſe can be really and *bona fide* had for the ſame from a ſolvent tenant; and ſo as no fine, or income, or other conſideration be taken for the ſame, other than the ſaid rents to be reſerved to the truſtees for the ſaid infirmary and their ſucceſſors; and ſo as every ſuch demiſe or leaſe be made in poſſeſſion and not in reverſion.

no fine or conſideration,

not in reverſion.

Other leaſes void,

IX. And be it further enacted by the authority aforeſaid, that all leaſes made of ſuch lands, tenements, or hereditaments, in any other manner, ſhall not be good or available in law, but ſhall be to all intents and purpoſes null and void.

A publick act.

X. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, and taken, and allowed in all courts within this kingdom as a publick act, and that as ſuch all judges ſhall take notice thereof without ſpecially pleading the ſame.

A. D. 1771-2.

CHAP. XXIV.

An act to enable the corporation for promoting and carrying on an inland navigation in this kingdom to erect and make a lock adjoining to the long dock of the old quay in the city of Limerick.

WHEREAS ſhips cannot at preſent lie with ſafety in any part of the river Shannon between the New bridge and the pier adjoining to the long dock of the old quay in the ſaid city upon account of the rapidity of the current and hardneſs of the ground: and whereas boats can at preſent paſs only at certain times, and then with much difficulty and danger, from any part of the river above Baall's bridge: and whereas the rapidity of the current between Baall's bridge and the new bridge is ſo great, and frequently to do much damage to the new quays on each ſide of the river, which were erected at the expence of the publick, and if not prevented will probably ſoon deſtroy the ſame; all which circumſtances are very injurious to the trade of the ſaid city: and whereas the ſaid ſeveral inconveniencies may be remedied by erecting a lock acroſs the ſaid river from the ſaid pier of the ſaid long dock, and making the ſpace between the ſaid lock and the ſaid New bridge a ſafe and convenient place for ſhips to lie in: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful to and for the ſaid corporation for promoting and carrying on an inland navigation in this kingdom to erect ſuch lock, as is herein before mentioned, and to apply ſuch part of the money granted to them by parliament, as they ſhall think proper for that purpoſe, not exceeding the ſum of one thouſand five hundred pounds in the whole.

The corporation may erect a lock croſs the Shannon,

and apply 1500l. of parliamentary grants.

II. And be it enacted by the authority aforeſaid, that the ſaid corporation ſhall from and immediately after the paſſing of this act be veſted with all and ſingular the ſame powers, property, and rights, for the purpoſe of making ſuch lock, as are at preſent veſted in them by any law for the purpoſe of making any inland navigation in this kingdom.

Veſted with all powers as for any inland navigation.

III. And whereas the expence of making and keeping ſuch lock in conſtant repair, and of wages of proper perſons to attend the ſame, muſt be very conſiderable: be it enacted by the authority aforeſaid, that it ſhall be lawful to and for the corporation,

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poration, or any perſon or perſons authorized by them under their corporation ſeal, as ſoon as ſuch lock ſhall be compleated, to take and levy upon all ſhips and veſſels, which ſhall come within the ſaid lock, or paſs through the ſame, any ſum or ſums of money in their diſcretion, not exceeding the following rates, (that is to ſay) for every ſhip or veſſel belonging to any of his Majeſty's ſubjects of twenty tons burthen or upwards, and not being laden, or in balleſt only, two pence per ton; for every ſhip or veſſel belonging to any of his Majeſty's ſubjects of twenty tons burthen or upwards, being laden or having any cargo on board, four pence per ton; for every foreign ſhip or veſſel, not being laden, or in ballaſt only, four pence per ton; for every foreign ſhip or veſſel being laden, or having any cargo on board, ſix pence per ton: and in caſe of refuſal to pay the ſaid ſeveral rates it ſhall and may be lawful to and for the ſaid corporation and their ſervants to enter into and diſtrain ſuch ſhips or veſſels, or their tackle or furniture, or the goods therein, for the ſame, and to diſpoſe thereof as in caſes of diſtreſs for nonpayment of rent, or to ſue for and recover the ſame by civil bill.

Ships of 20 tons in ballaſt to pay 2d. per ton, laden 4d.

foreigners 4d. in ballaſt, laden 6d.

by entry and diſtreſs,

or civil bill.

IV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſervants of the ſaid corporation to go on board ſuch ſhip or veſſel to take the dimenſions of the ſame; and in caſe any diſpute ſhall ariſe concerning the tonnage of any ſuch ſhip or veſſel, the ſame ſhall be finally determined by the collector, or in his abſence by the next ſuperior officer in the port of Limerick, who are hereby reſpectively impowered and required to determine the ſame.

Entry to take dimenſions,

diſputes determined by collector or next officer.

V. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid corporation to contract with any perſon or perſons or body corporate for the making of ſuch lock, and for keeping the ſame in conſtant repair, and finding proper perſons to attend the ſame, upon ſuch terms as they ſhall think reaſonable, and for that purpoſe to aſſign and transfer by writing under the ſeal of the ſaid corporation unto ſuch perſon or perſons or body corporate all or any part of the property, rights, and powers, hereby veſted in the ſaid corporation, and alſo the duties herein before mentioned, or any part thereof; and thereupon ſuch property, rights, powers, and duties, or ſuch parts thereof as ſhall be ſo transferred, ſhall be veſted in, and held and enjoyed by, the perſon or perſons or body corporate, to whom the ſame ſhall be ſo transferred; any law or ſtatute to the contrary thereof in any wiſe notwithſtanding.

Contract for making and keeping it in repair, and attending,

and for that purpoſe under ſeal tranſfer property.

VI. And

VI. And be it enacted by the authority aforeſaid, that if any ſuit ſhall be commenced or proſecuted againſt any perſon or perſons for any thing, whith ſhall be done in purſuance of this act, ſuch perſon or perſons may plead the general iſſue, and give the ſpecial matter in evidence; and this act ſhall be deemed and taken to be a publick act, and judicially taken notice of as ſuch. A. D. 1771-2. General iſſue pleaded, &c. a publick act.

CHAP. XXV.

An act for amending an act for the better regulation of partnerſhips to encourage the trade and manufacture of this kingdom.

WHEREAS by an act paſſed in the fifteenth year of the reign of his late Majeſty king George the ſecond, entitled, *An act for the better regulation of partnerſhips, to encourage the trade and manufactures of this kingdom*, it is enacted, that if any number of perſons, not exceeding nine, ſhall enter into any contract of partnerſhip for the purpoſes in ſaid act mentioned by a common or united ſtock, not exceeding ten thouſand pounds ſterling, the majority of ſuch partners ſhall in caſe of neglect or refuſal be empowered to compel any perſon or perſons or their repreſentatives to pay ſuch part or proportion of any ſum or ſums of money, as he, ſhe, or they ſhall from time to time be liable to by the deed, articles, or agreement of ſuch partnerſhip, and in default of ſuch payment to ſell the ſhare of ſuch perſon ſo neglecting or refuſing to pay by publick cant in the manner directed by the ſaid act: and whereas it hath been found by experience, that not only the common ſtock provided by the ſaid act, but the number of partners therein mentioned, are inſufficient for the purpoſes of carrying on inland navigations in this kingdom, and of erecting joint companies for inſurance againſt fire, and the public would be much benefited by having companies properly created, and poſſeſſed of ſufficient properties for the purpoſes aforeſaid: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that henceforth any number of perſons may and ſhall hereby be empowered to enter into any contract of partnerſhip, by writing under their hands and ſeals for the undertaking or carrying on and compleating any canal or inland navigation in this kingdom, or for the erect- 15 G. 2. c. 7. The common ſtock and number of partners therein inſufficient, any number may contract for inland navigation, or joint inſurance againſt fire, by ſuch

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ing or eſtabliſhing any joint company for aſſurance againſt caſualties by fire, by a common or united ſtock, ſuch as by the majority of ſuch partners ſhall be judged expedient and neceſſary for the ſaid purpoſes: and if any one or more of ſuch partners as aforeſaid, his, her, or their executors, adminiſtrators, or aſſigns, and if the guardian or truſtee of any partner or partners, being under the age of twenty one years, ſhall neglect or refuſe to pay into the joint ſtock ſuch part, proportion, or quota of any ſum or ſums of money, as he, ſhe, or they ſhall from time to time be liable to by the deed, articles, or agreement of ſuch partnerſhip, for the ſpace of three calendar months next after ſuch partner or partners, his, her, or their executors, adminiſtrators, or aſſigns, or the ſpace of nine months next after any ſuch guardian or guardians, truſtee or truſtees, as the caſe ſhall be and require, ſhall be ſerved with a ſummons or notice in writing for that purpoſe, ſigned by the major part of the partners aforeſaid, or by ſuch perſon or perſons as ſhall be legally authorized for that purpoſe by the original deed or deeds of partnerſhip, or in purſuance of the ſame, then and in ſuch caſe it ſhall be lawful for the major part of ſuch partners, or the perſon or perſons authorized as aforeſaid, to ſell by publick cant the ſhare or proportion of ſuch perſon or perſons refuſing or neglecting to pay the ſum charged on him, her, or them as aforeſaid.

common ſtock as by the majority,

partner not paying quota 3 months after written notice, guardian, or truſtee 9, the ſhare ſold by publick cant.

II. Provided always, That notice ſhall be firſt given eight ſeveral times ſucceſſively by advertiſement in the Dublin Gazette of the time and place of every ſuch ſale; and alſo that the money ariſing from every ſuch ſale ſhall be paid over to every ſuch perſon and perſons, as ſhall be entitled to ſuch ſhare or ſhares, at the reſpective time and times of ſuch ſale; the expence of the ſaid advertiſements and ſale, and ſuch rateable part or proportion of all debts affecting the joint ſtock as ſhall be due at the time of ſuch ſale, being thereout firſt deducted.

On 8 advertiſements in gazette,

the money ariſing paid to perſons intitled,

deducting expence and proportion of debts.

III. And be it further enacted by the authority aforeſaid, that if any part, ſhare, or proportion in any ſuch partnerſhip ſhall by death or otherwiſe fall to or become the property of any perſon or perſons under age, the guardian or guardians, truſtee or truſtees, of ſuch perſon or perſons ſo under age ſhall be empowered to go on with the ſaid partnerſhip buſineſs, and to pay into the joint ſtock that part or proportion of ſuch ſum or ſums of money, as the perſon or perſons ſo under age is or ſhall be liable unto; and that it ſhall be in the power of ſuch guardian or truſtee to ſell and diſpoſe of to the beſt advantage ſuch part,

Guardian or truſtee may go on with the buſineſs, and pay the ſhare,

ſell it to beſt advantage,

ſhare, or proportion of every ſuch perſon under age; and that every ſuch guardian or truſtee ſhall be accountable to ſuch perſon or perſons, when they ſhall come to full age, for any ſuch ſum or ſums of money, gain, or profit, ariſing either by ſuch ſale or carrying on of the ſaid ſtock.

Guardians accountable when of age.

IV. And whereas for the purpoſe of carrying on ſuch inland canals and navigations it will be neceſſary for the undertakers thereof to acquire the property of the ſoil, through which ſuch navigations are to be cut, and of the banks of the ſame: be it enacted by the authority aforeſaid, that every ſuch company of ſubſcribers (their plan being firſt approved of by the corporation for promoting and carrying on an inland navigation in this kingdom, and a certificate of ſuch approbation being previouſly obtained under the ſeal of the ſaid corporation) ſhall and may have full power, capacity, and authority to purchaſe or take leaſes for any terms of years of all ſuch lands, as may be neceſſary for making or carrying on ſuch navigations, and for towing paths, banks, back drains, the ſcite of lock houſes, ware houſes, mills, or other engines neceſſary or properly connected with ſuch canals, as alſo on red or unprofitable bogs, of ſtrips of ground running parallel with ſuch canals, and on either ſide of the ſame, ſuch ſtrips of bog nevertheleſs not in any place to extend above twenty perches in depth from the edge of the water of ſuch canal.

Company of ſubſcribers on certificate of approbation of the inland corporation, may take any leaſes for years of lands neceſſary and bog parallel not above 20 perches from the water edge.

V. Provided nevertheleſs, that all ſuch ſubſcriptions, ſhares, and proportions in ſuch partnerſhips and companies ſhall be and be deemed and taken to be perſonal property only, and ſubject to the ſeveral laws affecting the ſame, ſhall not in any degree be ſubject to any of the laws made to prevent the growth of popery.

Shares in partnerſhip and companies perſonal only, not ſubject to popery laws.

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CHAP. XXVI.

An act for continuing two ſeveral acts, one paſſed in the twenty-ſeventh year of his late Majeſty King George the ſecond, and the other in the third year of his preſent Majeſty's reign, for making the river Lagan navigable, and opening a communication by water between Loughneagh and the town of Belfaſt; and for enabling the commiſſioners therein named to raiſe money by aſſignment of ſaid duties for the more effectual carrying on ſaid work.

WHEREAS by an act paſſed in the twenty ſeventh year of the reign of his late Majeſty King George the ſecond of glorious memory certain duties, rates, and impoſitions were granted to his ſaid late Majeſty King George the ſecond for the uſe of the corporation for promoting and carrying on an inland navigation in Ireland, to be by them laid out and expended in making the river Lagan navigable, and opening a paſſage by water between Loughneagh and the town of Belfaſt in the county of Antrim; and the ſaid act was afterwards continued and amended by an act paſſed in the third year of his preſent moſt gracious Majeſty George the third; and the ſaid acts are now near expiring, and the inhabitants liable to ſaid duties (that is to ſay) the ſeveral inhabitants of that part of the diſtrict of Liſburn, commonly known and diſtinguiſhed by the gaugers walks of Belfaſt, Liſburn, Moira, and Hillſborough, are willing and deſirous, that the ſaid duties ſhould be continued in order to carry on and compleat ſaid navigation: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſeveral duties and impoſitions in and by the ſaid firſt mentioned act granted to his ſaid Majeſty George the ſecond, and chargeable in the manner therein mentioned, be further granted, continued, raiſed, levied, and paid unto his Majeſty, his heirs and ſucceſſors, for the term of nine years from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and no longer, in and throughout that part of the diſtrict of Liſburn, commonly known and diſtinguiſhed by the gaugers walks of Belfaſt, Liſburn, Moira, and Hillſborough, including ſuch part or parcel of the manors of Hillſborough, Kilwarlin, Caſtlereagh, and Statneals, as were excepted in

Duties granted by 27 *G.* 2. *c.* 3. & 3 *G.* 3. *c.* 6. continued 9 years from 25 Dec. 1773.

parts excepted in former act included,

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in the ſaid former act; all which ſaid additional duties ſhall be levied and collected in the manner and by ſuch ways and means, as the ſame are appointed to be levied and collected by ſaid act of the twenty ſeventh of the reign of his late Majeſty; and the ſaid act of the third of his preſent Majeſty, and every clauſe or article in ſaid acts, or either of them, ſave in ſuch particulars or reſpects as the ſame may be altered by this preſent act, ſhall remain and continue in full force for the ſaid term and ſpace of nine years.

all clauſes in ſaid acts, ſave as altered, continued 9 years.

II. And be it enacted by the authority aforeſaid, that the ſaid additional duties, as they ſhall from time to time be brought into the receipt of his Majeſty's exchequer, ſhall be paid over without any fee or deduction by the vice treaſurer or receiver general of this kingdom upon an order or draft to be ſigned by the following perſons, who are by the commiſſioners for promoting and carrying on an inland navigation in Ireland appointed local commiſſioners for carrying on the navigation of the river Lagan, (that is to ſay) the right honourable earl of Antrim, the right honourable earl of Donegal, right honourable earl of Hillſborough, right honourable earl of Moira, right honourable earl of Hertford, right honourable earl of Maſſarene, right honourable earl of Charlemont, right honourable lord viſcount Glerawly, right honourable lord Beauchamp, honourable Francis Caulfield, honourable Henry Conway, right honourable Hercules Langford Rowley, right reverend lord biſhop of Down and Connor, lord Bangor, right honourable William Brownlow, Francis Price, William Watts Gayer, J. U. D. reverend James Dickſon dean of Down, William Montgomery, Samuel Waring, reverend Thomas Waring, reverend Trevor Benſon, reverend Charles Smyth, Joſeph Henry, James Forteſcue, Robert Scott, Morgan Jellet, John O'Neal, Thomas Gregg, Stewart Banks, George Portis, eſquires, the ſovereign and pariſh miniſters of the town of Belfaſt, Samuel Smyth and James Smyth, eſquires, or to be ſigned by any ſeven of them, or by any ſeven of the perſons may hereafter be choſen or appointed in their room, or in the room of any of them, local commiſſioners for carrying on the ſaid navigation; and all the monies ſo ariſing from ſaid additional duties ſhall be laid out or expended by ſaid commiſſioners or their order in opening a paſſage by water between Loughneagh and the ſaid town of Belfaſt, and to no other uſe or purpoſe.

Paid without deduction on drafts by 7 local commiſſioners,

local commiſſioners,

expended in opening paſſage between *Loughneagh* and *Belfaſt*.

III. And for the more effectual promoting and expediting the ſaid work be it enacted by the authority aforeſaid, that the ſaid

Aſſignable by 7 at ſtated meeting as

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ſaid local commiſſioners before named, or the perſons to be appointed in their room, or any ſeven or more of them, ſhall and may, and they or any ſeven or more of them are hereby impowered from time to time, and at all times hereafter, at any of their ſtated or publick meetings by writing under their reſpective hands and ſeals to aſſign over the ſaid duties granted by ſaid acts, or by this preſent act, or any part thereof, the coſts and charges whereof are to be borne and paid out of ſuch duties, for any time or term during the continuance of this act, as a ſecurity for any ſum or ſums of money, to be borrowed by them for the purpoſes aforeſaid, to ſuch perſon or perſons or their truſtees, who ſhall advance and lend the ſame, in order to ſecure the repayment thereof with lawful intereſt, or leſs, if the ſame can be had, or, if the ſame ſhall be found more convenient, to iſſue and give receipts or debentures under the hands and ſeals of ſeven or more of the ſaid commiſſioners upon the payment of any ſum or ſums of money (no one of ſuch ſums being leſs than fifty pounds) which ſhall be lent and advanced to ſaid commiſſioners, for the uſe of ſaid work, to the perſon and perſons who ſhall lend and advance the ſame, to be chargeable upon and payable out of ſaid additional duties, and according to the terms which ſhall be agreed upon between ſuch creditors and ſaid commiſſioners, or any ſeven or more of them, as aforeſaid, and which ſhall be ſpecified in ſaid debentures, to make the ſum or ſums ſo advanced to bear an intereſt not exceeding the legal intereſt, until the principal ſums ſhall be paid, or to grant or appoint ſuch yearly ſums or annuities to be paid out of ſuch duties to the perſon or perſons, his, her, or their executors, adminiſtrators, and aſſigns, who ſhall advance any ſum or ſums of money for all or any part of the term, for which ſaid duties are granted, in full diſcharge and ſatisfaction of the principal and intereſt of the ſums ſo to be lent, as ſhall be agreed upon and ſpecified in ſaid debenture or debentures; and that every perſon, to whom ſuch debenture or debentures ſhall be given as aforeſaid, may by indorſement on ſuch debenture transfer the right and benefit of the ſame; and ſuch indorſement upon notice to the clerk or regiſter of ſuch commiſſioners, and an entry thereof made in the book kept by him of the orders and proceedings of ſuch commiſſioners, and which clerk or regiſter ſhall upon requeſt without fee or reward make accordingly, and upon requeſt permit to be viewed at the uſual hour or time of his attendance, ſhall intitle the indorſee, or aſſignee, or his executors, adminiſtrators, and aſſigns, to the ſole benefit of the ſum or

ſecurity for ſums borrowed,

or debentures given,

not under 50l.

as agreed between the creditors and commiſſioners,

intereſt not exceeding the legal,

debentures transferable by indorſement,

regiſtered on notice,

viewed without fee at uſual hour,

ſums ſo transferred or aſſigned; and that the ſaid debenture or receipt may in like manner be again transferred or aſſigned by ſuch aſſignee or aſſignees, his, her, or their executors, adminiſtrators, or aſſigns, and ſo from time to time as often as occaſion ſhall require; and that after ſuch aſſignment made it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſame, or the ſum or ſums thereby transferred or aſſigned, or any part thereof. A. D. 1771-2. ſo from time to time, not after in power of aſſignor.

IV. And be it enacted by the authority aforeſaid, that this act ſhall be adjudged, deemed, and taken as a publick act, and ſhall be judicially taken notice of by all judges, juſtices, and other perſons whatſoever without ſpecially pleading the ſame. A publick act.

V. And be it further enacted by the authority aforeſaid, that this act ſhall continue and be in force for nine years from the twenty fifth day of December, one thouſand ſeven hundred and ſeventy three, and no longer. Continued 9 years from 25 *Dec.* 1773. *and* 32 *years from* 25 *Dec.* 1782, *by* 13 & 14 *G.* 3. *c.* 12.

CHAP. XXVII.

An act for explaining and amending an act made in the eighth year of the reign of her late Majeſty queen Anne, intitled, *an act for explaining and amending an act*, intitled, *an act to prevent the further growth of popery; ſo far only as the ſame makes a proviſion for the maintainance of popiſh prieſts converted to the proteſtant religion.*

WHEREAS by an act made in this kingdom in the eighth year of the reign of her late Majeſty Queen Anne, intitled, *An act for explaining and amending an act*, intitled, *an act to prevent the further growth of popery*, it is amongſt other things enacted, that certain popiſh prieſts, who had or ſhould become proteſtants, and ſhould be approved of as converts, and perform the ſeveral requiſites therein preſcribed, ſhould have and receive the ſum of thirty pounds ſterling yearly and every year for their maintenance, and until he or they were otherwiſe provided for by ſome eccleſiaſtical benefice or curacy of the like or greater value; the ſaid ſum of thirty pounds yearly to be levied on the inhabitants of ſuch county, counties of cities or towns, wherein ſuch converted prieſt or prieſts ſhould laſt reſide, in like manner as money charged by grand juries on ſuch counties, counties of cities or towns, was levied; which ſaid part of ſaid recited act was by an act made in this kingdom in the thirty firſt year of the 8 *Anne*, c. 3.

A.D. 1771-2. Chap. 27. continued 31 *G.* 2. c. 9. ſ. 1.

the reign of his late Majeſty King George the ſecond, intitled, *An act for reviving, continuing, and amending ſeveral temporary ſtatutes*, revived and continued in force for eleven years, and from thence to the end of the then next ſeſſion of parliament: and whereas it is found by experience, that the ſaid part of the ſaid recited act, ſo revived and continued as aforeſaid, has not anſwered the purpoſes intended by the revival and continuance thereof, eſpecially as the proviſion, made as aforeſaid for ſuch converted popiſh prieſts, is in no reſpect a ſufficient encouragement for popiſh prieſts to become converts: and whereas it is expedient to make ſome further and better proviſion by way of maintenance for ſuch popiſh prieſts, as have been or hereafter ſhall be converted from the popiſh to the proteſtant religion, until they ſhall be otherwiſe provided for reſpectively by ſome eccleſiaſtical benefice: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two every popiſh prieſt, who hath heretofore conformed to the proteſtant religion, or who at any time hereafter during the continuance of this act ſhall conform to the proteſtant religion, and ſhall be approved of as a convert, and received into the church of Ireland as by law eſtabliſhed, by the archbiſhop or biſhop of the dioceſe wherein ſuch popiſh prieſt reſides at the time of his conformity, and ſhall perform the ſeveral other requiſites preſcribed in and by that part of the ſaid herein before recited act, ſuch popiſh prieſt ſhall have and receive the ſum of forty pounds yearly and every year, and no more, by virtue of this or any former act as and for his maintenance, and until he ſhall be otherwiſe provided for by ſome eccleſiaſtical benefice or preferment of the like or greater yearly value: ſubject nevertheleſs to ſuſpenſion or deprivation by the archbiſhop or biſhop of the dioceſe, wherein he ſhall dwell or reſide, in like manner as the inferior clergy of this kingdom are ſubject to.

the proviſion therein for converted prieſts inſufficient,

prieſt conforming, approved, and received, by the dioceſan, and performing requiſites in 8 *Anne*, c. 3. ſhall have 40l. yearly as maintenance till a like or greater preferment,

but ſubject to ſuſpenſion or deprivation as inferior clergy,

II. And be it further enacted by the authority aforeſaid, that the ſaid ſum of forty pounds, ſo intended for the maintenance of ſuch popiſh prieſt converted as aforeſaid, ſhall be levied on the inhabitants of ſuch county, or counties of cities or towns, where ſuch converted prieſt or prieſts did reſide at the time of his or their conformity, in like manner as money charged by grand juries on ſaid counties, counties of cities or towns, is levied; the ſaid yearly ſum of forty pounds to be paid to ſuch converted

Levied where reſiding, as grand jury charges,

converted prieſt or prieſts moietively, (that is to ſay) one moiety on the feaſt of the annunciation of the bleſſed virgin Mary, and the other moiety on the feaſt of ſaint Michael the archangel in every year. A. D. 1771-2. paid moietively.

III. And be it further enacted by the authority aforeſaid, that every ſuch popiſh prieſt or prieſts, ſo converted to the proteſtant religion as aforeſaid, ſhall, and he or they are hereby required under the penalty of forfeiting his or their allowance or allowances as aforeſaid publickly to read once in every week the common prayer or liturgy of the church of Ireland as by law eſtabliſhed, and preach in the Engliſh tongue in ſuch places, and at ſuch times, as the ſaid archbiſhop or biſhops ſhall direct or appoint. To read liturgy weekly, and preach as by dioceſan appointed, or allowance forfeited.

IV. Provided always, that no curacy ſhall be deemed an eccleſiaſtical benefice or preferment within the intent or meaning of this act, unleſs the ſalary, allocated for the maintenance of the officiating curate in ſuch curacy, ſhall exceed the ſum of forty pounds by the year. No curacy deemed ſuch preferment, unleſs the ſalary 40l. yearly.

V. And be it further enacted by the authority aforeſaid, that this act, and the ſeveral clauſes herein contained, ſhall continue in force for the ſpace of ſeven years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy two, and to the end of the then next ſeſſion of parliament, and no longer. Continued 7 years from 24 *June*, 1772, &c. 19 & 20 *G.* 3. *c.* 39.

CHAP. XXVIII.

An act for preventing the erecting of lime kilns in the city of Dublin, or the ſuburbs thereof.

WHEREAS the burning of lime in the city of Dublin or the ſuburbs thereof is injurious to the health of the citizens of the ſaid city: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of May one thouſand ſeven hundred and ſeventy two it ſhall be unlawful for any perſon or perſons to erect any lime kiln within the publick lamps of the city of Dublin or the liberties thereof; and if any ſuch lime kiln ſhall be erected after the time aforeſaid, upon complaint thereof made to any juſtice of the peace of the ſaid city, ſuch juſtice ſhall ſummon the perſon or perſons, againſt whom ſuch complaint ſhall be made, No lime kiln erected within the lamps of Dublin or the liberties, on complaint ſummoned by a city juſtice,

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made, to attend before him at ſuch time and place as ſhall be mentioned in ſuch ſummons, to anſwer ſuch complaint; and in caſe ſuch perſon or perſons ſhall be convicted of ſuch offence by confeſſion or by the oath of one or more witneſſes before ſuch juſtice, he ſhall iſſue his warrant to the ſheriffs of the city of Dublin, requiring them to abate ſuch kiln, which ſuch ſheriffs are hereby empowered and required immediately to do.

on conviction ſheriffs on warrants to abate.

II. And be it enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced or proſecuted for any thing, which ſhall be done in purſuance of this act, the defendant or defendants may plead the general iſſue, and give the ſpecial matter in evidence: and this act ſhall be deemed a publick act, and judicially taken notice of as ſuch.

General iſſue pleaded, &c.

a publick act.

CHAP. XXIX.

An act for allowing further time to perſons in offices or employments to qualify themſelves purſuant to an act, intitled, An act to prevent the further growth of popery.

Indemnified on qualifying purſuant to 2 *Anne*, c. 6. by 1ſt Auguſt 1774.

WHEREAS ſeveral perſons, well affected to his Majeſty's government and the church of Ireland as by law eſtabliſhed, may have through ignorance neglected or been prevented by ſickneſs or other unavoidable cauſes from taking and ſubſcribing the oaths, and making and ſubſcribing the declaration and from receiving the ſacrament of the lord's ſupper according to the directions of an act made in this kingdom in the ſecond year of the reign of her late Majeſty Queen Anne, intitled, *An act to prevent the further growth of popery*, and by their inadvertency may have incurred great penalties: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that all and every perſon or perſons, who have incurred any penalties and incapacities in the ſaid act, intitled, *An act to prevent the further growth of popery*, mentioned, by neglecting to qualify themſelves according to the ſaid act, ſhall be and are hereby indemnified, freed, and diſcharged of and from all incapacities, diſabilities, forfeitures, and penalties incurred by reaſon of ſuch omiſſion or neglect as aforeſaid; and that no act or acts done by them, or any of them, and not yet avoided, ſhall be queſtioned or avoided by reaſon of ſuch neglect or omiſſion, but all ſuch acts ſhall be, and are hereby declared and enacted to be, as good and effectual, as if all and every ſuch perſon and perſons had taken and ſubſcribed the ſaid oaths, and received the ſaid ſacrament, and made and ſubſcribed the ſaid declaration in manner as aforeſaid; any thing in the ſaid act to the contrary notwithſtanding: provided ſuch perſon or perſons do and ſhall take and ſubſcribe the ſaid oaths, and receive the ſaid ſacrament, and make, repeat, and ſubſcribe the ſaid declaration, in ſuch manner and form, and in ſuch place and places, as are directed and appointed by the ſaid act *to prevent the further growth of popery*, on or before the firſt day of Auguſt, which ſhall be in the year of our lord one thouſand ſeven hundred and ſeventy four.

Officers preferred and qualifying in *Great Britain*, not obliged thereto on arriving here

II. And whereas ſeveral of his Majeſty's ſubjects are often preferred in the army reſiding in Great Britain, by which they are by the laws in force in that kingdom obliged to qualify themſelves in ſome part of Great Britain by receiving the ſacrament, taking the oaths, and ſubſcribing the declaration, within the time mentioned in ſuch laws: and whereas the regiment or regiments, in which ſuch officer or officers have commiſſions ſo granted to them, are often ordered into this kingdom, and put upon this eſtabliſhment, by which a doubt has ariſen, whether ſuch officer or officers, notwithſtanding he or they having qualified themſelves in Great Britain for ſuch commiſſions according to the ſaid laws, are not by the laws in force in this kingdom obliged to qualify themſelves after their arrival here for ſuch commiſſions according to an act of parliament paſſed in this kingdom in the ſecond year of the reign of her late Majeſty queen Anne, intitled, *An act to prevent the further growth of popery:* be it enacted by the authority aforeſaid, that no officer or officers ſo preferred in Great Britain, who ſhall have qualified him or themſelves for ſuch commiſſion or commiſſions according to and within the time limited by the ſaid laws made in Great Britain, ſhall be obliged to qualify him or themſelves in this kingdom for ſuch commiſſion or commiſſions ſo granted to him or them in ſuch regiment or regiments after their arrival in this kingdom, and being put upon this eſtabliſhment; any law, uſage, or cuſtom to the contrary notwithſtanding.

Not to reſtore to employment avoided or filled.

III. Provided always, that this act, or any thing herein contained, ſhall not extend to reſtore or intitle any perſon or perſons to any office or employment already actually avoided by judgment of any of his Majeſty's courts of record, or already filled up by any other perſon, but that ſuch office or employment ſhall be and remain in the perſon or perſons who is or are now intitled by law to the ſame, as if this act had never been made.

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CHAP. XXX.

An act for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them, and for reſtraining ſuch as ſhall be found able to ſupport themſelves by labour or induſtry from begging.

Amended 13 & 14 G. 3. c. 46. & 15 & 16 G. 3. c. 35.

WHEREAS ſtrolling beggars are very numerous in this kingdom: and whereas it is become equally neceſſary to give countenance and aſſiſtance to thoſe poor who ſhall be found diſabled by old age or infirmities to earn their living, as to reſtrain and puniſh thoſe who may be able to ſupport themſelves by labour or induſtry, and yet may chooſe to live in idleneſs by begging; and it is juſt to call upon the humane and affluent to contribute to ſupport of real objects of charity: and whereas thoſe purpoſes may be better effected by one law, than by many laws tending to the ſame purpoſe; be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that one act of parliament made in this kingdom in the thirty third year of the late King Henry the eighth, entitled, *An act for vagabonds*, and another act made in this kingdom in the eleventh year of the late king Charles the firſt, entitled, *An act for erecting houſes of correction, and for the puniſhing of rogues, vagabonds, and ſturdy beggars, and other lewd and idle perſons*, ſhall be and the ſame are hereby repealed and made void from the twenty fourth day of June one thouſand ſeven hundred and ſeventy two.

33 H. 8. c. 15. and 10 & 11 C. 1. c. 4. repealed,

in full force in counties where this act not carried into execution, 13 & 14 G. 3. c. 46. ſ. 21.

II. And whereas the good purpoſes intended by this act are moſt likely to be promoted by creating corporations in every county at large, and every county of a city or town in this kingdom, who may execute the powers and truſts herein after particulary expreſſed: be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two there ſhall be and one body politick and corporate is hereby created and erected in every county, and in every county of a city, and in every county of a town in this kingdom, conſiſting

A corporation created in every county or of city or town,

extended to Colerain, 15 & 16 G. 3. c. 35. ſ. 5. and to Liſburn by 19 & 20 G. 3. c. 15. ſ. 8.

For Waterford impowered to unite, 19 & 20 G. 3. c. 15. ſ. 5.

conſiſting in every ſuch county of the archbiſhop or biſhop, whoſe dioceſe, or any part of whoſe dioceſe, ſhall extend into ſuch county, of the repreſentatives in parliament for ſuch county, of all the juſtices of the peace commiſſioned or choſen to act as ſuch in ſuch county, and in every county of a city, or county of a town, of the chief magiſtrate, ſheriffs, and recorder of ſuch county of a town or city, likewiſe of the two repreſentatives in parliament and of the juſtices of the peace for ſuch county of a city or town, all for the time being, and alſo of ſuch perſons as are herein after mentioned; which corporation ſhall be called by the name of the preſident and aſſiſtants inſtituted for the relief of the poor and for puniſhing vagabonds and ſturdy beggars, applying to every of them the name of its proper county, city, or town, by the words for the county of ; which ſaid corporations ſhall have a perpetual duration and ſucceſſion, and may ſue and be ſued in all courts of juſtice by thoſe names reſpectively, and ſhall have a common ſeal, and ſhall meet at and adjourn to ſuch times and places within their counties, cities, or towns reſpectively, as they ſhall think fit, ſave only that the ſaid corporations are to meet, and they are hereby required reſpectively to meet, for the firſt time on the day or on the day next after the day at their election, when the judges who ſhall hold the next ſummer aſſizes in and for the ſeveral counties in this kingdom, or either of ſuch judges, ſhall depart from the town or place, where the aſſizes ſhall be held, at the hall or ſeſſion houſe reſpectively, where the judges ſhall have ſat for the buſineſs of the aſſizes, at ſuch hour as they ſhall think fit; but the corporation for the county of the city of Dublin ſhall meet on the firſt Monday of next Auguſt at the Tholſel of the ſaid city at ſuch hour, as they ſhall think fit, and at the firſt and every future meeting of the ſaid corporations reſpectively the archbiſhop or biſhops, if preſent when the ſaid corporations or quorums of them reſpectively ſhall aſſemble, ſhall take the chair, ſhall put every queſtion, declare the majority of votes, and do all the duties of preſident or head of the corporation for that meeting: but if the archbiſhop or biſhop ſhall not be preſent, when the ſaid corporations reſpectively ſhall firſt aſſemble, the repreſentative in parliament for that county, city, or town, who ſhall firſt come on that day to the place of meeting, if both ſhall attend, and if not the repreſentative in parliament for that county, city, or town, who ſhall be preſent, when the ſaid corporations or quorums of them reſpectively ſhall aſſemble; and if the archbiſhop or biſhop, or the repreſentatives for ſuch

named,

perpetual,

have common ſeal, meet and adjourn,

the biſhop, if preſent, to preſide,

or repreſentative in parliament firſt coming,

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counties, cities, or towns respectively, or either of them, shall not attend in every city and county of a town, the chief magistrate, or in his default and in every county at large the oldest justice of the peace, who shall be present, when the said corporations respectively or quorums of them shall first assemble, shall take the chair, and do all the duties of president or head of the corporation for that meeting; and the said corporations respectively shall be considered as assembled for the purpose of determining, who shall be the president of that day, when four shall have come to the place of meeting at the aforesaid time appointed for the first meeting of the said corporations respectively, and at all subsequent times after four of the said corporations shall have come to the place of the meeting at the respective times to be appointed for such meetings; and every person, qualified or capable as aforesaid of presiding at the meetings of the said corporations, may at all times after the aforesaid first time appointed for the meeting of the said corporations by notice in writing signed by him, to be posted at the proper assizes town, or at the Tholsel in the city of Dublin, six days at the least before the time of meeting, exclusive of the day of posting such notice and the day of meeting, convene the said corporations respectively to do all corporate acts; but no second notice, signed by a different person, shall supersede a former; of which said corporations respectively five shall be a competent number to do all corporate acts; and the said corporations are hereby respectively authorized and impowered to elect during good behaviour such other persons residing within their counties, cities, or towns respectively, as they shall think fit, and those also who shall contribute any sum not less than twenty pounds, or shall subscribe and pay any annual sum not less than three pounds, to be applied to the charitable purposes herein expressed, to be members of the said corporations respectively; and the said corporations respectively are hereby authorized to make bye laws, reasonable and consonant to the laws of the land, and to appoint standing commitees for the purposes herein after mentioned, to meet and act at a certain place to be appointed in each county, city, or town; and the said corporations respectively are hereby authorized and qualified to accept or take by purchase, or by a voluntary grant, or by devise, any lands, tenements, or hereditaments of inheritance or for lives, not exceeding to any one of the said corporations the clear yearly value of five hundred pounds, any law to the contrary in any wise notwithstanding: but the corporation of any of the said counties, cities, or towns, shall at no time have a capacity

chief magistrate or oldest justice,

president to sign notice to convene

6 days before,

for all corporate acts,

5 to act,

elect others resident,

and those contributing 20l. or 3l. annually,

make reasonable bye laws,

appoint standing committees,

may take inheritance or for lives not above 500l. yearly,

pacity to take lands of inheritance or for lives of a greater value than as aforeſaid except in the caſe of eviction or determination of intereſt, in which caſe the ſaid corporations reſpectively may make ſuch new acquiſition as aforeſaid, not exceeding the clear annual value aforeſaid; and the ſaid corporations reſpectively are hereby authorized and qualified to take all ſuch donations in perſonal property, as ſhall be made to them, and to accept of all leaſes for years of houſes or lands, ſo as no ſuch leaſe ſhall exceed twenty one years; but every leaſe for years of lands or of a houſe, to be made to any of the ſaid corporations, exceeding that term, ſhall be void except as hereafter excepted.

and all perſonal property, and leaſes for years not above 21, of lands or houſe.

III. And be it further enacted by the authority aforeſaid, that the ſaid corporations reſpectively over and above the five hundred pounds a year and leaſes for years, which they are authorized to acquire as aforeſaid, may alſo be capable and qualified to take by grant or by deviſe any quantity of ground or land within their counties reſpectively, not exceeding in a city or town two roods plantation meaſure, and not exceeding in the open country twenty acres of like meaſure, for the ſites of houſes to be built for the reception of the helpleſs poor, and for keeping in reſtraint ſturdy beggars and vagabonds, as herein after is directed.

And alſo 2 roods in a city or town, and in the county 20 acres for ſites of houſes,

IV. And be it further enacted by the authority aforeſaid, that every archbiſhop and biſhop of this kingdom may and are hereby authorized and impowered to grant ſuch portions of ground or land as aforeſaid out of the eſtates of their ſees reſpectively to the ſaid corporations reſpectively for the ſites of ſuch houſes as aforeſaid for ſuch eſtate or eſtates, whether in fee, for lives renewable or not renewable, or for years, at ſuch rent and fines as ſuch archbiſhop or biſhop ſhall think fit, or without any rent or fine, if ſuch archbiſhop or biſhop ſhall think fit; and that every ſuch grant and leaſe ſhall be good and valid againſt ſuch archbiſhop and biſhop and their ſucceſſors reſpectively without the concurrence of any other perſon or body of men, notwitſtanding an act of parliament paſſed in this kingdom in the reign of the late king Charles the firſt, entitled, *An act for the preſervation of the inheritance, rights, and profits of lands belonging to the church and perſons eccleſiaſtical*, or any other law or uſage that is or has been of force in this kingdom; and the ſaid corporations reſpectively are hereby authorized and required to grant to the helpleſs poor, who have reſided for one year within their reſpective counties, cities, or towns, badges or marks of ſuch materials and of ſuch a ſtamp or impreſſion, as they ſhall think fit; and to grant to ſuch helpleſs poor a licence to beg in ſuch barony, city, town, or pariſh, within the counties of the ſaid corporations

Biſhops may grant ſuch land out of their ſees for ſites of houſes, in fee, for lives renewable or not, or years, with or without rent or fine, notwithſtanding 10 and 11 *C.* 1. c. 1. or other law,

badges to the poor reſident 1 year,

and licence to beg,

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tions reſpectively, as they ſhall think fit, for ſuch a time or term as they ſhall think fit, ſpecifying the names and places of birth and the characters of the perſons ſo licenced, and the cauſes, as nearly as may be collected of the poverty of the perſon ſo licenſed, and whether reduced to that ſtate by ſickneſs or misfortune; and the ſaid corporations reſpectively are hereby authorized to licence ſo many juſtices of the peace within their reſpective counties, as they ſhall think fit, to deliver ſuch badges, and to grant ſuch licences.

ſpecifying name, birth character, and cauſe of poverty, juſtices licenced to deliver them.

V. And be it further enacted by the authority aforeſaid, that the ſaid corporations may and they are required to build hoſpitals, to be called work-houſes or houſes of induſtry and for the relief of the poor in their reſpective counties, as ſoon as they ſhall be poſſeſſed of funds ſufficient for thoſe purpoſes, as plain as durable, and at as moderate expences as may be; and that thoſe hoſpitals be divided into four parts, of which one part is to be allotted for ſuch poor helpleſs men, as ſhall be judged worthy of admiſſion; one other part for the reception of ſuch poor helpleſs women as ſhall be judged worthy of admiſſion; one other part for the reception of men who ſhall be committed to the hoſpital, as hereafter is directed, as vagabonds or ſturdy beggars able or fit for labour; and the fourth part for ſuch idle, ſtrolling, and diſorderly women, as ſhall be committed to the hoſpital, as herein after is directed, and ſhall be found able or fit for labour.

County hoſpitals built for the poor, when funds ſufficient, plain, durable, and at moderate expence, in 4 parts, for poor helpleſs men, women, vagabonds or ſturdy beggars, diſorderly women.

VI. And be it further enacted by the authority aforeſaid, that every man above the age of fifteen years, who ſhall be found begging without ſuch licence as aforeſaid, and who ſhall not wear ſuch badge as aforeſaid expoſed to publick view on the back or ſhoulder, ſhall be committed to ſtocks by any juſtice of the peace, authorized to act for the county, city, or town, where ſuch perſon ſhall be found begging as aforeſaid, and to be ſo kept in ſtocks for any ſpace of time not exceeding three hours for the firſt offence, and for every ſubſequent offence for any ſpace of time not exceeding ſix hours; and every old perſevering offender may be indicted and tried for ſuch his offence at the quarter ſeſſions to be held for the county, city, or town, where the party ſhall have offended, or any adjournment thereof; and if convicted of ſuch offences by a jury, ſhall ſuffer impriſonment in the common priſon of the county, city, or town without bail or mainprize for any ſpace of time not exceeding two calendar months; and if after ſuch conviction the perſon ſo convicted ſhall again offend as aforeſaid, ſuch perſon being

Beggar men above 15, without licence or badge expoſed, kept in ſtocks 3 hours firſt offence, 6 ſubſequent, perſevering, indicted at ſeſſions, impriſoned two months, new offence 4 months and whipped,

being convicted as aforeſaid of ſuch new offence before the juſtices at the quarter ſeſſions held for the county where ſuch offence ſhall be committed, or any adjournment thereof, may be ſentenced by the ſaid juſtices to be and ſhall be accordingly publickly whipped in any market town in the ſaid county, and ſhall alſo be again impriſoned as aforeſaid for any time not exceeding four calendar months, and ſo in conſequence of every conviction after the firſt as often as the party ſhall offend; and in the caſe of females who ſhall be found begging without ſuch licence and badge as aforeſaid, every ſuch female ſhall be confined in any place, that ſhall be appointed for that purpoſe, by any juſtice of the peace of that county, city, or town, for the firſt offence for any ſpace not exceeding three hours, and for every ſubſequent ſuch offence for any time not exceeding ſix hours; and every old and perſevering ſuch female offender ſhall be proceeded againſt at the ſeſſions as aforeſaid.

females confined in place appointed,

and proſecuted at ſeſſions.

VII. And be it further enacted by the authority aforeſaid, that the ſaid corporations reſpectively may under their common ſeals appoint ſuch and ſo many perſons in the counties, cities, or towns within their juriſdictions reſpectively at reaſonable and moderate ſalaries, as they ſhall think fit, to ſeize and arreſt all ſuch perſons, whom they ſhall find begging without ſuch licence and badge as aforeſaid, and carry all ſuch perſons before the next juſtice of the peace for the county, city, or town, in which ſuch perſons ſhall be found begging as aforeſaid, who, on oath made before them reſpectively that the party has offended as aforeſaid, may commit the party to the ſtocks or otherwiſe as aforeſaid; and the juſtices of the peace at the quarter ſeſſions are hereby authorized and impowered to hear, try, and determine the ſaid offences referred to the ſeſſions as aforeſaid, and on conviction to pronounce ſuch judgments as aforeſaid; and the juſtices of the peace, before whom ſuch offenders, whoſe crimes are referred to the ſeſſions as aforeſaid, ſhall be brought, are hereby authorized to examine one or more witneſſes upon oath and to take written informations to the charge, and on the poſitive oath of any witneſs to commit the party accuſed to priſon to be proceeded againſt as aforeſaid, unleſs the party accuſed can procure bail to appear at the ſeſſions; and all juſtices of the peace are hereby authorized and required within their reſpective counties, cities, or towns on their own view and obſervation to cauſe every ſuch perſon as aforeſaid, who ſhall beg without ſuch licence or badge as aforeſaid, to be ſeized and put into and continued in ſtocks or con-

Perſons appointed at ſalaries to ſeize and carry before next juſtice,

on oath of offence committed,

ſeſſions impowered to try,

examine on oath, take informations, and commit unleſs bail to next ſeſſions,

juſtices on view may commit,

 finement

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finement as aforeſaid, to be dealt with for every firſt and ſubſequent offence as aforeſaid; and alſo on their view and obſervation without other evidence to commit ſuch old and perſevering offenders as aforeſaid to priſon to be proceeded againſt as aforeſaid, ſpecifying in the warrant of committal the crime of the party ſo committed; and ſo all juſtices of the peace are hereby required to do likewiſe, where theſe committals are grounded on an information on oath, that the parties committed may be bailed by any other juſtice of the peace, if he may procure bail before trial, to appear at the next ſitting of the quarter ſeſſions: and in every caſe where a poor perſon, who ſhall be thought worthy of a licence and badge, ſhall have one or more children under the age of ten years not apprenticed or otherwiſe provided for, the perſon or perſons applied to in ſuch a caſe for a badge and licence ſhall either inſert the names, number, and age of ſuch children in the licence, or at his or their election ſhall take ſuch or ſo many of them, as he or they ſhall think fit, from the parent, and convey ſuch child or children to the committee of that county, city, or town, and to inſert the names of the reſt in the parents licence: and if any fartherleſs or deſerted poor children under the age of eight years ſhall be found ſtrolling and begging, it ſhall and may be lawful for thoſe appointed to grant licences as aforeſaid to take up ſuch children, and convey them to the committee of that county, city, or town; and the ſaid committees reſpectively may convey ſuch of the ſaid chidren, who ſhall be under the age of eight years, to ſuch charter ſchool nurſery as ſhall receive them, and may apprentice the reſt: and the ſaid committees are hereby required to keep up a correſpondence with the incorporated ſociety for proteſtant charter ſchools, that they may be informed time after time, when room or accommodation may be had for poor children; and the ſaid ſociety are hereby required to give that information to the ſaid committees; and the ſaid committee are hereby required to communicate time after time the information, they ſhall ſo receive, to the perſons who ſhall be authorized to take up poor children as aforeſaid; and the ſaid perſons may from time to time, as often as they ſhall think fit, order all ſuch children, or ſo many of them as they ſhall think fit, whoſe names ſhall have been inſerted in licences as aforeſaid, to be taken up and conveyed to the ſaid committees reſpectively as aforeſaid, that all poor children may as much as poſſible be prevented from ſtrolling, and may be put to trades or to induſtry.

the crime ſpecified in warrant,

children under ten unprovided for inſerted in parent's licence,

ſo many as thought fit taken to the committee,

and fatherleſs or deſerted under 8, ſent to charter ſchool, the reſt apprenticed,

charter ſchool ſociety to inform committees when room,

communicated to the perſons to take up ſuch poor children,

to prevent their ſtrolling,

and put to induſtry.

VIII. And

VIII. And be it further enacted by the authority aforeſaid, that the ſaid corporations reſpectively may, and they are hereby required, as ſoon as they ſhall have acquired funds ſufficient for building and furniſhing houſes of induſtry as aforeſaid, to take into thoſe houſes ſo many vagrants, ſturdy beggars, and vagabonds, to be kept at hard labour, and ſo many helpleſs poor as their funds ſhall admit of, and the ſaid corporations are hereby authorized and required to ſeize every ſtrolling vagrant capable of labour, who hath no place of abode, and who doth not live by his or her labour or induſtry, and every perſon above the age of fifteen years, who ſhall beg publickly without ſuch licence or badge as aforeſaid, or after the term of ſuch licence ſhall be out and not renewed, and every ſtrolling proſtitute capable of labour, and to commit the ſaid perſons laſt mentioned to diviſions allotted reſpectively for them in the ſaid houſes or hoſpitals as aforeſaid, and there to keep them to hard labour, and to compel them to work, maintaining them properly, and in caſe of refuſal or ill behaviour to inflict reaſonable corporal puniſhment on the offenders, and to keep all the ſaid diſorderly perſons ſo in reſtraint for the firſt time of commitment for any ſpace of time not exceeding two calendar months; and if being ſet at liberty, or having eſcaped, they ſhall return to their former courſes of life, each perſon ſo offending ſhall be ſo kept in reſtraint after a ſecond commitment for any ſpace of time not exceeding four calendar months; and after a third commitment for any ſpace not exceeding one year; and after a fourth commitment, for any ſpace not exceeding two years, and if any of the ſaid diſorderly perſons being ſet at liberty a fourth time ſhall return to his or her former courſe of life, then for any time the corporation of that county, city, or town, where ſuch offender ſhall be found ſo tranſgreſſing, not exceeding four years, ſhall think fit, and ſo again after the expiration of that term: and the ſaid corporations reſpectively are hereby authorized and required to make byelaws and orders for the government of every ſuch houſe or hoſpital, and to appoint maſters and other fit perſons and ſervants to govern and take care of ſuch houſes and hoſpitals at reaſonable and moderate ſalaries and wages; and the ſaid corporations reſpectively may alſo appoint treaſurers to receive ſuch donations and rents, as they ſhall reſpectively acquire or become intitled to, at moderate ſalaries; and the ſaid corporations are hereby warned and required to expend ſuch donations and rents for the charitable purpoſes herein expreſſed with the greateſt care

So many taken into houſes of induſtry, as the funds admit;

vagrants ſeized,

beggars above 15 without licence, or not renewed,

proſtitutes, to diviſions allotted,

kept to labour,

corporal puniſhment, on miſbehaviour,

1ſt commitment 2 months,

2d 4,

3d 1 year,

4th 2,

afterward 4,

corporations to make byelaws and orders,

appoint maſters and ſervants at moderate wages,

and treaſurers,

and apply donations and rents with greateſt care and œconomy,

care and œconomy at the peril of every individual, who ſhall be perſonally anſwerable for any embezzlement or miſapplication of or partiality in the diſpoſal of any part of the revenues or property of the ſaid corporations reſpectively, which ſuch individuals ſhall be guilty of, or concur in, by a ſuit in the name of the King's attorney general either in the court of chancery or court of exchequer, which the ſaid courts may and are hereby required to hear and determine; and in every ſuch ſuit coſts ſhall be awarded againſt the defendants, if found culpable as aforeſaid; and in every ſuch ſuit a relator of property and reputation ſhall be named, againſt whom coſts ſhall be awarded to the defendant or defendants, if the ſuit or complaint ſhall appear to be groundleſs: and if any action ſhall be brought againſt any perſon for executing any of the powers, or acting in any of the duties herein expreſſed, the defendant or defendants may in every ſuch ſuit plead the general iſſue, and give the ſpecial matter in evidence; and in every caſe where the plaintiff or plaintiffs in ſuch ſuit ſhall fail, the court, in which ſuch ſuit ſhall be carried on, ſhall award coſts to the defendant or defendants; or if the plaintiff or plaintiffs in ſuch ſuit ſhall be unable to pay ſuch coſts, the court may order ſuch plaintiff or plaintiffs to be, and he, ſhe, or they ſhall be accordingly, whipped in ſome market town in the county, where the action ſhall be laid.

at peril of individuals, perſonally anſwerable, on ſuit in chancery and exchequer,

with coſts, and to defendant if groundleſs, relator of property and reputation, on ſuits for acting general iſſue, &c.

and coſts to defendants

plaintiff if unable, whipped.

IX. And be it further enacted by the authority aforeſaid, in order to create ſome revenues for the ſaid corporations at the outſet that the grand juries of every county, county of a city, and county of a town in this kingdom reſpectively for ever may and they are hereby authorized and required at every ſpring aſſizes, to be held in the ſaid counties reſpectively, after the twelfth day of February in the year of our Lord one thouſand ſeven hundred and ſeventy three, to preſent in every county of a city or town, to be raiſed by preſentment from off the lands and houſes in that county equally and rateably, before the firſt day of November then next following any ſum not leſs than one hundred pounds, nor more than two hundred pounds, and from off the lands and houſes of every county at large as aforeſaid any ſum not leſs than two hundred pounds, nor more than four hundred pounds, to be paid to the corporations of the ſaid counties reſpectively, or to their treaſurers reſpectively, without any fee or deduction whatſoever, for the charitable purpoſes aforeſaid, and to be aſſeſſed and collected as other county taxes are; and for the ſaid tax hereby impoſed the collectors thereof

Preſentment every ſpring for counties of towns not under 100l. nor above 200l.

counties at large not under 200l. nor above 400l.

collected as county taxes, and ſeparate receipts.

thereof are hereby required to give to those, who pay it, receipts separate and distinct from those given for other taxes.

On counterfeit or borrowed licence or badge,

X. And be it further enacted by the authority aforesaid, that if any person shall go about begging with a badge or licence counterfeited to the likeness or to an imitation of the licences and badges aforesaid, or shall beg with a borrowed licence or badge, or with a licence or badge given or intended for another person, every person so offending, being convicted of such offence before two justices of the peace, who may hear and determine every such complaint summarily, shall be committed by such justices of the peace to the common gaol of the county, there to remain without bail or mainprize for ten days.

10 days imprisonment by 2 justices,

Not continued in stocks in the evening, unless catched in the act and committed,

XI. Provided always, that no person for any of the offences herein shall be continued in the stocks after four of the clock in the afternoon from the first of December to the first of March, excepting those cases where beggars shall in that interval be catched in the act of begging contrary to this act, and shall be committed to stocks after the hour of four in the afternoon or in the evening, for that offence; nor shall any person be continued in stocks for any of the offences herein at any time of the year after sunset, excepting those instances where beggars shall be catched after sunset in the act of begging, and shall be committed to stocks for that offence: and the rectors, and vicars, and incumbents of all parishes in this kingdom are hereby required to permit such clergymen of the established church, as the said corporations respectively shall appoint, to preach sermons in their churches respectively and in every year on such days, as the said corporations respectively shall appoint, to recommend the charitable purposes herein expressed to the congregations assembled in those churches, and to all the inhabitants of those parishes, and to permit collections to be made on the days when such sermons shall be preached in those churches, and throughout the said parishes respectively in consequence of those sermons; and the said corporations respectively may and are hereby authorized and required to appoint fit persons to make such collections; and the sums, so collected throughout every county, shall be paid to the corporations of that county, to be applied within that county for the charitable purposes aforesaid.

clergy appointed by corporations admitted to preach,

and collections permitted in consequence;

paid to the corporation, applied within the county.

A. D. 1771-2.

CHAP. XXXI.

An act for enabling certain perſons to carry on and compleat the grand canal.

WHEREAS ſeveral ſums of money have been heretofore expended for the purpoſe of making an inland canal and navigation between the city of Dublin and the river Shannon; and from the difficulties attending the ſaid undertaking, and from the ſeveral additions which it may be neceſſary to make thereunto, as well by continuing the ſame to the river Liffey and the harbour of Dublin as by opening a communication between the ſaid canal and the navigable parts of the Barrow, and other rivers contiguous thereunto, and by making outlets or off-branches to certain market towns adjacent to the ſaid canal, it now appears, that a very conſiderable additional ſum, not leſs than one hundred and fifty thouſand pounds, will be neceſſary for compleating the ſaid navigation: and whereas the right honourable the lord mayor, ſheriffs, commons, and citizens of the city of Dublin, the right honourable the earl of Drogheda, the right honourable lord Sydney, the right honourable the ſpeaker of the houſe of commons, the right reverend Walter biſhop of Clonfert, ſir Fitzgerald Aylmer, Michael Aylmer eſquire, Andrew Armſtrong of Clara King's county eſquire, Mr. Hillary Andoe, Mr. William Alder, lieutenant colonel William Burton eſquire, William Burton eſquire, Charles Blakeney eſquire, Mr. Samuel Burrowes, Mr. Robert Bonynge, Mr. John Blake, Mr. Richard Bolton, Michael Bellew, county Galway eſquire, Nicholas Bellew eſquire, Daniel Chenevix eſquire, Mr. William Colvill, Bartholomew Callan eſquire, Richard Charters eſquire, Mr. Thomas Cox, Graves Chamney eſquire, John Clinch eſquire, right honourable Thomas Conolly, right honourable Nathaniel Clements, reverend dean Digby, Simon Digby eſquire, William Dean eſquire, Chriſtopher Deey eſquire, Mr. Jeremiah D'Olier, Mr. Richard Eaton junior, alderman Thomas Emerſon, reverend George Evans, Robert French eſquire, Mr. Francis French, alderman Richard French, Mr. James Farrell, Mr. Noah Ford, Mr. Thomas Green, Mr. William Gaynor, John Geale eſquire, Ebenezer Geale and company, Walter Huſſey eſquire, James Horan eſquire, Peter Holmes eſquire, Thomas Kavanagh eſquire, Denis Kelly eſquire, Chriſtopher Lyſter eſquire, alderman Willoughby Lightburne, Harcourt Lightburne eſquire, Redmond Morres

Morres eſquire, Mr. George Maquay, doctor Charles Moreton, ſecretary to the royal ſociety, William Maguire eſquire, honourable Ponſonby Moore eſquire, honourable William Moore eſquire, Richard Morgan eſquire, Mr. John Nugent, Richard Nelſon eſquire, Richard Nevil eſquire, ſir Lucius O'Brien baronet, ſir Fielding Ould, Arthur Pomeroy eſquire, Hercules Langford Rowley eſquire, Mr. Walter Redfoord, Mr. Archibald Redfoord, Mr. William Rawlins, Mr. Michael Reilly, Edward Scriven eſquire, Robert Stephenſon eſquire, Mr. Thomas Stevens, Sentleger Sentleger eſquire, Mr. John Seaton, Mr. Charles Seaton, Mr. Michael Sweetman, Mr. Patrick Sweetman, Richard Talbot eſquire, Mr. David Thayne, John Thewles eſquire, Wentworth Thewles eſquire, and Mr. Timothy Turner, Agmondiſham Veſey eſquire, Walter Weldon eſquire, Stewart Weldon eſquire, Mr. Joſeph Webſter, Mr. Arthur Winter, Mr. Patrick Weldon, reverend Arthur Weldon, Mr. Thomas Wildridge, and ſeveral other perſons have already aſſociated themſelves for the purpoſe of carrying on ſo uſeful a deſign, by which the ſaid city of Dublin may with greater certainty, and at a much cheaper rate than at preſent, be ſupplied with moſt of the neceſſaries of life, and the high roads leading to the ſaid city (many of which are now almoſt impaſſable) will be leſs crowded and may more eaſily be kept in repair: and the ſaid perſons having engaged to ſubſcribe ſeveral very conſiderable ſums towards compleating the ſaid work, it is reaſonable, that they together with all future ſubſcribers ſhould have ſome adequate compenſation, as well for the ſums they ſhall ſo lay out, as for the hazard and labour of ſuch a work: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that immediately after this preſent act ſhall paſs into a law, the corporation for promoting and carrying on an inland navigation in this kingdom ſhall open a ſubſcription for carrying on and compleating the ſaid navigations from the city of Dublin to the Shannon, or ſo much thereof as to the ſaid corporation ſhall ſeem expedient: and that the ſaid ſubſcription ſhall be kept open, until the ſum of ſixty thouſand pounds ſhall be ſubſcribed for the purpoſes aforeſaid.

A ſubſcription to be opened by the corporation for compleating navigation to the *Shannon*, or ſo much as expedient,

'till 60000l. ſubſcribed.

II. And be it enacted by the authority aforeſaid, that ſuch ſubſcribers ſhall, within the ſpace of one calendar month after ſuch ſubſcription ſhall be cloſed, pay in five per cent. of the ſums

Depoſit 5 per cent. in a month, or ſubſcription void,

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ſums by them reſpectively ſubſcribed to ſuch perſon or perſons, as ſhall be appointed for that purpoſe by the ſaid corporation, and in default thereof the ſubſcription of every perſon failing to pay ſhall be abſolutely void to all intents and purpoſes whatſoever; and the ſaid corporation ſhall open a new ſubſcription for filling up ſuch deficiency, or until the ſaid ſum of ſixty thouſand pounds in the whole ſhall be ſubſcribed, and a depoſit of five per cent. be made thereupon, and ſhall then proceed therein in the manner herein before deſcribed.

and a new one for the deficiency.

not under 50l.

III. Provided always, that no perſon ſhall be permitted to ſubſcribe leſs than fifty pounds.

On payment of the 5 per cent. ſubſcribers erected into a company of undertakers of the grand canal, a body corporate,

IV. And be it further enacted by the authority aforeſaid, that as ſoon as five per cent. upon ſuch ſubſcription ſhall be paid as aforeſaid, ſuch ſubſcribers ſhall be united and erected into one company for carrying on the ſaid navigation, and ſhall from thenceforth be one body politick and corporate by the name of the company of undertakers of the grand canal, and ſhall have perpetual ſucceſſion and a common ſeal, and by that name may ſue and be ſued; and ſhall thenceforth be capable in law to purchaſe and take meſſuages, lands, tenements, and hereditaments, not exceeding the value of five hundred pounds a year, at the time of ſuch purchaſe, and to grant, alien, demiſe, or diſpoſe of the ſame or any part thereof at their free will and pleaſure, and that the ſaid company ſhall thenceforth by virtue of this act be fully empowered by themſelves, their agents, overſeers, workmen, and ſervants to carry on and compleat the ſaid canal, and ſuch communication as to the ſaid company ſhall ſeem moſt convenient, between the ſaid canal and the river Liffey, and alſo a communication or canal between the ſaid grand canal and the navigable parts of the river Barrow, together with the navigation of the ſaid river Barrow from the ſources thereof to the bridge of Athy, and to join the ſaid grand canal with the river Boyne, if ſuch junction ſhall to the ſaid company ſeem expedient: and that the ſaid company ſhall in like manner be empowered to open all rivers, and to make all ſuch outlets, off-branches, cuts and navigations, trenches, paſſages, dams, and wiers as may by ſuch company be judged neceſſary for carrying on the ſaid works, or for ſupplying the ſaid canals and navigations with water.

take and diſpoſe of lands, not above 500l. a year at the time,

compleat ſaid canal and communication with *Liffey*, *Barrow*, *Boyne*, if expedient,

open all rivers,

make cuts, &c.

Meet in *Dublin*, and adjourn,

V. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid company, from time to time as occaſion ſhall require, to aſſemble in the city of Dublin, and from time to time to adjourn ſuch aſſemblies; and at ſuch

aſſemblies or adjournments thereof to make ſuch bye laws, rules, or orders for the better government of their affairs and of their members, and for making ſuch contracts or agreements, and for appointing ſuch ſervants and perſons for carrying on the ſaid navigation, as they ſhall think fit, and to vary or repeal ſuch bye laws, rules, and orders, and to make new ones for the good and orderly uſing of the ſaid navigation, and for ſettling the wages and for the well governing the bargemen, watermen, and boatmen, who ſhall convey any goods thereon, and to impoſe reaſonable fines and forfeitures upon all perſons offending therein; the ſaid fines and forfeitures to be levied by ſuch ways and means as the company ſhall direct; ſo as no ſuch fine ſhall exceed five pounds upon any perſon for one offence; and the ſaid bye laws, being put into writing under the ſeal of the ſaid company, ſhall be binding to and be obſerved by all parties, and ſhall be ſufficient in any court of law or equity to juſtify all perſons, who ſhall act under the ſame, or in levying any penalty or forfeiture thereby incurred.

make and vary bye laws, rules,

ſettle wages,

regulate watermen,

impoſe fines,

not above 5*l.* one offence,

bye laws under their ſeal binding, and juſtification in any court.

VI. Provided always, that the ſaid bye laws ſhall not be contrary to the laws and ſtatutes of this realm, but it ſhall be approved by the ſaid chancellor for the time being, the lord chief juſtice of the King's bench for the time being, the lord chief juſtice of the common pleas for the time being, and the lord chief baron of the court of Exchequer for the time being, or any two of them.

Not contrary to law, and approved by chancellor and chief judges, or any two.

VII. Provided always, that eight days notice at the leaſt, including the day of ſuch notice and the day of meeting previous to ſuch meeting, ſhall be given at the time and place of holding ſuch aſſemblies in ſuch publick news papers of the city of Dublin, as ſhall be agreed on by the ſaid company.

8 days inclufive notice of meeting.

VIII. Provided nevertheleſs, that any perſon, who ſhall think himſelf aggrieved by any order or judgment in purſuance of any ſuch bye law, may complain within ſix months then after to the juſtices at the quarter ſeſſions in the county, wherein ſuch bye-laws ſhall be carried into execution, or in the county of the city of Dublin, who ſhall in a ſummary way hear and determine the ſaid complaint at ſuch quarter ſeſſions; and, if they ſee cauſe, may mitigate or alter ſuch fines or forfeitures, and may order any money to be returned, which ſhall have been levied or paid in purſuance of ſuch bye law; and may alſo order ſuch further ſatisfaction to be made, and give ſuch coſts to the party injured, as they ſhall judge reaſonable.

Appeal againſt bye law in 6 months to quarter ſeſſions, where to be executed, or in *Dublin*,

where fines altered, money returned, and ſatisfaction, and coſts, ordered.

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Joint ſtock the 60000l. with further ſubſcriptions, not exceeding 150000l.

IX. And be it enacted by the authority aforeſaid, that the joint ſtock of the ſaid company ſhall be the ſaid ſum of ſixty thouſand pounds, together with all ſuch further ſums (not exceeding in the whole the ſaid ſum of one hundred and fifty thouſand pounds) which ſhall be ſubſcribed, and upon which ſuch payment of five per cent. ſhall be made within the ſaid term of one calendar month from the time ſuch original ſubſcription ſhall be cloſed; and alſo ſuch other ſums as the ſaid company at ſome general meeting ſhall judge neceſſary to be raiſed by ſubſcription for the purpoſe of carrying on the ſaid work: which ſums, when ſubſcribed, ſhall be added to and become a part of the joint ſtock of the ſaid company.

Divided into 50l. ſhares,

X. And be it enacted by the authority aforeſaid, that the joint ſtock of the ſaid company ſhall be divided into ſhares of fifty pounds each.

New ſhares of 50l. may be ſold to new ſubſcribers,

XI. And whereas the ſaid ſubſcribers cannot enjoy the full profits of the ſaid undertaking, until the ſame ſhall be compleated; but their monies advanced muſt for ſome time remain without producing any intereſt to themſelves, and it is not reaſonable, that future ſubſcribers ſhould reap the benefits of the ſaid work upon the ſame terms with thoſe, who ſhall have borne the principal part of the hazard and loſs, which at firſt may be incurred: be it enacted by the authority aforeſaid, that if at any time after one calendar month next enſuing the cloſing of the ſaid original ſubſcription the ſaid company ſhall be minded to enlarge their capital ſtock, and their original ſubſcriptions ſhall at ſuch time be valued above par, or at more than the ſum originally ſubſcribed, the ſaid company may be at liberty and they are hereby empowered from time to time to cauſe new ſhares of fifty pounds each in the ſaid joint ſtock to be made out, and to ſell the ſame to any new ſubſcribers at ſuch rate as the ſaid company ſhall appoint for the ſame, or by publick cant; and that the ſaid ſums ſo ſubſcribed ſhall be added to and become part of the joint ſtock of the ſaid company.

added to joint ſtock.

5 ſhares to intitle to vote or intermeddle,

XII. And be it enacted by the authority aforeſaid, that no perſon ſhall vote at any aſſembly of the ſaid company, or have any right to intermeddle in any ſort in the affairs of the ſaid company, unleſs he or ſhe ſhall have in his or her own name and right, or in right of his or her teſtator or inteſtate, at leaſt five ſhares of ſuch ſtock; and that every member of the ſaid company ſhall have one vote in all ſuch aſſemblies for every five ſhares of the firſt twenty ſhares he or ſhe ſhall have in ſuch joint ſtock; and that the reſpective members who ſhall,

have a right to vote at ſuch aſſemblies, may appear either in perſon or by proxy appointed by an inſtrument in writing under their reſpective hands and ſeals; and that the majority of votes at ſuch aſſemblies ſhall determine all matters in queſtion; and if there be an equality of votes, that the chairman of ſuch aſſemblies ſhall have a caſting vote beſides his vote as a member of the ſaid company.

appear by proxy.

caſting vote to chairman.

XIII. Provided always, that at every ſuch aſſembly there ſhall be preſent in perſon or by proxy fifty members at leaſt, who ſhall have a right to vote, or otherwiſe ſuch aſſembly ſhall have no power to carry into execution any of the powers or authorities hereby given.

50 muſt be preſent or by proxy.

XIV. Provided alſo, that no perſon ſhall have in his own right more than four votes in any ſuch aſſembly; and that the lord mayor, ſheriffs, and citizens of Dublin, who have engaged to ſubſcribe ten thouſand pounds, ſo long as they ſhall continue to be poſſeſſed of the ſaid capital ſtock of ten thouſand pounds, towards the ſaid work, ſhall have twenty ſuch votes in every ſuch aſſembly; and that it ſhall and may be lawful for the ſaid lord mayor, or aldermen, and citizens, to appoint any number of perſons, not exceeding twenty, to attend for them at all ſuch aſſemblies, and to vote, and in all reſpects act like other ſubſcribers to the ſaid joint ſtock.

None above 4 votes in his own right, mayor, &c. 20, ſo long as poſſeſſed of 10000l. ſtock.

XV. And be it further enacted by the authority aforeſaid, that all the accounts, tranſactions, and proceedings of ſaid company ſhall be fairly and regularly entered in books to be kept for that purpoſe, to which every perſon having in his own name and right any ſhare in ſuch joint ſtock, or his or her repreſentative or repreſentatives, may have acceſs at all reaſonable times to inſpect.

Proceedings entered,

and inſpected having a ſhare.

XVI. And be it further enacted by the authority aforeſaid, that the ſeveral lands, tenements, and hereditaments, waters, watercourſes, bridges, locks, ſluices, drains, banks, dams, roads, towing paths, and other ways, which are now veſted in the ſaid corporation for the promoting and carrying on an inland navigation, or are now in the poſſeſſion and enjoyment of the ſaid corporation for the purpoſe of carrying on the ſaid navigation, between the city of Dublin and the river Shannon, and between the ſaid canal and the bridge of Athy on the river Barrow, and alſo the materials and utenſils which have been or ſhall be provided for carrying on the ſaid work, and any and every ſum of money which may have heretofore been granted for any part of the ſaid works, and which may remain unexpended, ſhall, from

Property and powers in the corporation veſted in the company.

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from and immediately after ſuch company ſhall be ſo erected as aforeſaid, be veſted in the ſaid company and their ſucceſſors; and that ſuch company and their ſucceſſors ſhall from and after the time aforeſaid be inveſted with and ſhall hold and enjoy all and ſingular the powers, privileges, advantages, and authorities in all things for the purpoſes of carrying on the ſaid navigation from the ſaid city of Dublin to the river Shannon, with all the parts, members, and connections thereof, as are now veſted in the ſaid corporation by virtue of the ſeveral acts heretofore made in this kingdom; and that the ſaid company may be inveſted with all ſuch powers, as are veſted in the ſaid corporation, to enable them to open the communication and canal between the end of the preſent canal and the ſaid river Liffey; and to enable them to ſummon juries as by the ſaid acts are directed for the valuing any lands, houſes, tenements, and hereditaments, as may be neceſſary for compleating the ſaid work, and for making ſuch wharfs, quays, ſtorehouſes, markethouſes, locks, baſons, and docks, as may be judged by the ſaid company proper for ſaid work; and that the ſaid company may be enabled to purchaſe and hold ſuch lands, houſes, tenements, and hereditaments for the purpoſes aforeſaid: and further that the ſaid company may be veſted with the like powers to enable them to carry on and compleat the ſaid canal from the ſaid grand canal to the river Barrow and the bridge of Athy, and ſo much of the water of the ſaid river Barrow, and of the Blackwood river, as may be neceſſary for carrying on ſaid navigation, firſt making compenſation for all ſuch mills and lands as may be damaged by ſaid works, and with powers to purchaſe banks and towing paths as may be neceſſary for the ſaid navigation, and with like power to open the communication from ſaid grand canal to the river Boyne.

May purchaſe houſe or garden.

XVII. Provided always, if it ſhall be neceſſary for the ſaid company in the proſecution of the ſaid work to purchaſe any houſe or garden, they ſhall have full power by this act to purchaſe the ſame, in ſuch manner as they are hereby empowered to purchaſe any lands or other hereditaments, any exception in any former act notwithſtanding.

XVIII. And whereas the ſaid corporation for promoting and carrying on an inland navigation are empowered to purchaſe ſuch lands, tenements, and hereditaments, as might be neceſſary for carrying on and effecting their ſeveral undertakings, and to cauſe juries to be impannelled, who ſhould aſſeſs ſuch damages and recompences, as they ſhall think fit to be awarded to the

owners

owners and occupiers of any ſuch lands, as ſhall be uſed for or damnified by making ſuch navigations, and the ſaid corporation were to give judgments for ſuch ſums ſo to be aſſeſſed by ſaid juries, which verdict and judgment are made final and concluſive; and upon payment of the ſums ſo aſſeſſed or tender thereof all ſuch lands, tenements, and hereditaments, were to be transferred to the ſaid corporation: and whereas the ſaid corporation have heretofore cauſed ſeveral lands neceſſary for the carrying on the ſaid grand canal to be valued by juries as aforeſaid, but the purchaſe money, ſo aſſeſſed by the ſaid grand juries, hath not yet been paid: be it enacted by the authority aforeſaid, that all ſuch lands, tenements, and hereditaments, as have at any time heretofore been valued by juries as aforeſaid for the purpoſe of carrying on and effecting the ſaid grand canal, and for which the purchaſe money hath not yet been paid or tendered, ſhall be veſted in the ſaid company as fully and effectually to all intents and purpoſes whatſoever, as if the ſaid corporation had immediately after ſuch verdicts pronounced judgment on ſuch verdicts, and had paid or tendered the money ſo aſſeſſed; provided the ſaid company ſhall within twelve months from the time of paſſing this act pay, or tender, and depoſit the ſeveral ſums ſo aſſeſſed by the juries as aforeſaid.

Lands heretofore valued by juries, and purchaſe money not paid or tendered, veſted in the company, if in 12 months the ſums aſſeſſed paid, or tendered and depoſited.

XIX. And be it further enacted by the authority aforeſaid, that in all caſes, where the ſaid verdicts have found the value of the lands ſo enquired into at a certain rate by the acre, and at a certain number of years purchaſe, according to the quantity of lands which may be taken according to ſuch rate, without ſpecifying the preciſe quantity of land which might be wanting, or the exact ſum which ſhould have been paid, all ſuch verdicts heretofore given ſhall be good and effectual to all intents and purpoſes whatſoever; and that the ſaid company under ſuch verdicts ſhall have full power to take in ſuch quantities of the ſaid lands, as may be neceſſary for the ſaid navigation, or for raiſing materials for the ſame, according to ſuch valuations; firſt aſcertaining the quantity of land which ſhall be wanting; or paying, or tendering, and depoſiting the money for the ſame at the rates in ſuch verdicts mentioned; provided ſuch quantities of land ſhall be aſcertained, and the purchaſe money for the ſame paid, tendered, or depoſited as aforeſaid, within twelve months from the paſſing this preſent act.

Former verdicts valid, upon aſcertaining in 12 months the land wanting and purchaſe money paid, tendered, or depoſited.

XX. And whereas the ſaid navigation between the hill of Downings in the county of Kildare and the river Shannon doth for the moſt part run through the great bog of Allen, which is entirely

Company may on valuation purchaſe bog, not above 50 perch

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entirely waſte and unprofitable, and not likely to be ever reclaimed by any private perſons, and the ſubſtance of the ſaid bog is ſo watery and thin, that it is not probable, any permanent banks can be made to the ſaid canal, when it runs through the ſaid bog, unleſs the undertakers thereof ſhall be enabled and encouraged to drain and reclaim certain parts of the ſaid bog of ſome reaſonable breadth on each ſide of ſaid canal: be it enacted by the authority aforeſaid, that it may be lawful for the ſaid company, and that they may be hereby empowered and authorized, to cauſe to be valued, and to take in and purchaſe, ſuch portions of ſaid bog between the ſaid hill of Downings and the ſaid river Shannon, and between the ſaid grand canal and the bridge of Monaſtereven, as they may judge expedient, not exceeding in breadth fifty perches on either ſide from the navigable water of the ſaid canals; ſuch valuations and purchaſes to be made in ſuch manner as the ſaid corporation for promoting and carrying on an inland navigation are empowered to proceed in purchaſing lands for any navigation according to the laws now ſubſiſting in this kingdom.

on either ſide from the water,

as the corporation impowered.

May with the Morrell turn brooks and rivulets,

XXI. And whereas the waters of the river Morrell, which have for ſeveral years been the principal ſupply of ſo much of the ſaid canal, as hath been finiſhed, are found not ſufficient for the ſupply of the whole of ſaid works: be it enacted by the authority aforeſaid, that it may be lawful for the ſaid company to take, turn, or draw the waters of the rivulets or brooks, commonly called Blackwood river, Cuſhaling, and Tiguele, and Eſker, and ſuch other brooks and rivulets as may be interſected by the ſaid navigations or any part thereof, together with the ſaid river Morrell, or ſo much thereof as they ſhall judge neceſſary; the ſaid company for making ſatisfaction to the proprietors of any mills or bleach greens on the ſaid rivers of Blackwood, Cuſhaling, Tiguele, and Eſker, or ſuch other rivulets or brooks as ſhall receive any damage thereby; provided ſuch mills or bleach greens were erected before the firſt day of March one thouſand ſeven hundred and ſeventy two.

ſatisfying damage to mills or bleach greens, erected before 1ſt March 1772.

Draw from the Liffey, above Millicent,

XXII. And be it further enacted by the authority aforeſaid, that it may be lawful for the ſaid company to take, turn, and draw from ſuch part of the river Liffey, as ſhall be found moſt convenient above the ford at Millicent in the county of Kildare, into the ſaid canal ſo much water, as they ſhall judge convenient for the ſaid works, provided the water ſo to be taken does not exceed the quantity, that would freely flow through a ſluice, ſewer, or circular hole or bore, not more than two feet ſix inches

not more than thro' a ſewer 2 feet 6 inches.

ches in the clear, and for the providing a regular ſupply of water when neceſſary from the ſaid river to the ſaid canal.

Make a cut from the canal,

XXIII. And be it enacted by the authority aforeſaid, that the ſaid truſtees may be, and they are hereby, impowered to make a cut or watercourſe from the ſaid canal to ſuch part of the ſaid river Liffey as aforeſaid; and at or near the communication of ſuch water or watercourſe with the ſaid river, to affix a lock, flood gate, or dam, in which there ſhall be cut a circular hole or bore, not exceeding two feet ſix inches diameter, and ſhall fix thereupon a braſs, copper, or iron plate, for the admiſſion of ſuch quantity of water, and no more, except when ſuch lock ſhall be opened for the admiſſion and paſſage of any boat or veſſel.

fix a lock with like bore.

A dam croſs the Liffey to raiſe the level,

XXIV. And be it alſo enacted by the authority aforeſaid, that ſuch company before ſuch cut or watercourſe may be at liberty to erect one wyer or dam acroſs the ſaid river Liffey, ſo as to raiſe the level of the water in ſuch cut or watercourſe to the level of the navigable water in ſuch canal; and may be at liberty to purchaſe any land, not more than one acre, contiguous to ſuch watercourſe or cut; the ſaid company firſt making ſatisfaction for the value of ſaid land, and for any ſuch damage as may be done by ſuch wyer or drain, in the manner herein before directed.

purchaſe 1 acre contiguous to the cut,

firſt making ſatisfaction.

Set or ſell redundant water,

XXV. And be it further enacted by the authority aforeſaid, that whenever there ſhall be a redundancy of water in the ſaid canal, more than may be neceſſary for the uſes of navigation, that it ſhall be lawful for the ſaid company to ſet or ſell all ſuch redundant water, or ſo much thereof as they ſhall judge expedient for bleach greens, mills, or manufactures, or other uſe whatſoever; and to withhold the ſame from all ſuch perſons, as ſhall not pay to the ſaid company an adequate compenſation for the ſaid water; and that the abſolute and ſole property of the ſaid water ſhall be veſted in the ſaid company.

withhold on nonpayment,

ſole property of the water veſted in them.

Not to draw from the Liffey more than for the navigation,

XXVI. Provided always, that nothing herein contained ſhall extend to enable the ſaid company to draw off from the river Liffey more water, than ſhall be ſufficient for the purpoſe of the ſaid navigation; and ſhall not extend to enable them to draw off water for the ſake of ſelling or letting out ſuch water; it being the true intent and meaning of this act that no water ſhall be ſold, let, or diſpoſed of, other than ſuch as may happen from a caſual redundancy in the ſaid canal.

ſuch redundancy caſual.

Rates and duties to company's uſe,

XXVII. And be it enacted by the authority aforeſaid, that in conſideration of the expence and trouble which the ſaid company

pany ſhall be put to in making and maintaining the ſaid navigation together with the off-branches thereof it ſhall and may be lawful to and for the ſaid company and their ſucceſſors from time to time, and at all times hereafter, to aſk, demand, receive, and ſue for the uſe of the ſaid company the ſeveral rates and duties herein after mentioned; that is to ſay, for every boat, barge, or other veſſel, navigating the ſaid navigations, or any part thereof, either upwards or downwards, in which any goods, merchandizes, or commodities, or other matter whatſoever ſhall be carried, ſuch rates and duties as the ſaid company ſhall by their bye laws ordain and appoint, not exceeding the ſum of three pence for every mile for every ton of the burthen or tunnage of ſuch barge or other veſſel, or for every ton weight of ſuch goods, merchandizes, commodities, or other matter whatſoever, which ſhall be carried upwards or downwards, at the diſcretion of the ſaid company; and for each paſſenger in any ſuch veſſel in any ſum not exceeding the ſum of two pence, for every mile, ſuch paſſenger ſhall be carried; and an additional rate, not exceeding two pence *per* ton, for every lock any ſuch veſſel ſhall paſs through the ſaid communication between the ſaid canal and river Liffey.

as ordained by bye laws, not exceeding 3d. *per* mile *per* ton on veſſels navigating with goods,

paſſengers 2d. *per* mile,

2d. *per* ton every lock.

By diſtreſs or civil bill,

XXVIII. And be it enacted by the authority aforeſaid, that in caſe of refuſal to pay the ſaid ſeveral duties it ſhall and may be lawful to and for the ſaid company and their ſervants either to diſtrain ſuch boats, barges, or other veſſels, or the goods therein, for the ſame, and diſpoſe thereof as is uſual in caſes of diſtreſs for nonpayment of rent, or to ſue for the recovery of the ſame by civil bill; in caſe any diſpute ſhall ariſe touching the ſum to be paid for every ſuch rate, the ſame ſhall be adjuſted by any juſtice of the peace, of county or city in which ſuch diſpute, with liberty to appeal to either party from ſuch determination to the next going judge of aſſize for the county, wherein ſuch diſpute ſhall ariſe, or in caſe the ſaid diſpute ſhall ariſe in the city of Dublin, or in the county of the ſaid city, to the juſtices of the ſaid city at the quarter ſeſſion, whoſe determination therein ſhall be final.

diſputes ſettled by any juſtice of the county,

appeal to aſſizes,

or ſeſſions for Dublin.

No other duty, toll, or cuſtom.

XXIX. And be it further enacted by the authority aforeſaid, that no duty, rate, toll, or cuſtom whatſoever, ſave the rates herein mentioned, ſhall be taken for, upon, or out of any goods, merchandizes, commodities, or other matter whatſoever, which ſhall or may be carried by the ſaid navigation to or for any place whatſoever.

Proprietors intitled in proportion to their joint ſtock,

XXX. And be it enacted by the authority aforeſaid, that the proprietors of the ſaid joint ſtock, their executors, adminiſtrators,

tors, and aſſigns, ſhall be entitled to the tolls, duties, and advantages, and profits hereby veſted in the ſaid company, in proportion to their reſpective intereſts in the joint ſtock of the ſaid company, ſubject to ſuch charges as the ſaid company ſhall think fit to make for the compleating and preſerving the ſaid works, and to the ſoil and water of the canals, together with the banks thereof, and ſuch other portions of ground, as the ſaid company are empowered to acquire by virtue of this act; and that the ſaid proprietors intereſt therein ſhall be deemed and adjudged in all courts of law and equity to be perſonal and not real eſtate, and ſhall alſo be deemed and adjudged in the hands of the ſaid proprietors, their executors, adminiſtrators, and aſſigns, not ſubject to or to be affected by any of the laws to prevent the growth of popery, or ſubject to any diſcovery under the ſame; and that no perſon being or becoming a member or ſubſcriber for carrying on the ſaid navigations ſhall thereby or in reſpect of his intereſt in the capital ſtock of the ſaid company be liable to be a bankrupt within the meaning of any law concerning bankrupts; nor ſhall the capital ſtock of ſaid company, or the intereſt of any particular member therein, be liable to any foreign attachment.

their intereſt perſonal eſtate,

not ſubject to popery laws,

no ſubſcriber as to his intereſt in the ſtock liable to bankrupt laws.

the ſtock not liable to foreign attachment.

XXXI. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for every proprietor of ſuch joint ſtock to bequeath the ſame or to aſſign the ſame in his lifetime; and that every aſſignment, which ſhall be made of any part of the joint ſtock, ſhall be entered and made in a book for that purpoſe, to be kept at ſuch place as ſhall be appointed by the ſaid company, and that no aſſignment ſhall be deemed good, until entry be made in ſuch book as aforeſaid.

May be bequeathed or aſſigned,

aſſignment booked,

XXXII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid aſſemblies, convened as herein before directed, from time to time, and at all times as occaſion ſhall require, to make one or more call or calls upon the ſeveral proprietors of the ſaid joint ſtock to pay in ſuch parts of their reſpective ſubſcriptions, as the ſaid aſſemblies ſhall think neceſſary for carrying on the ſaid works; provided ſuch calls ſhall not exceed the ſum of twenty pounds per centum on the ſeveral original ſubſcriptions in any one year; and in caſe any of the proprietors of the ſaid joint ſtock, their repreſentatives or aſſigns, ſhall refuſe or neglect to pay the ſum ſo called for within thirty days after the time appointed by ſuch aſſemblies for the payment thereof, notice ſhall be given in the publick news papers aforeſaid, that the ſaid company will proceed to ſell by publick cant on ſuch day, as ſhall be ſpecified in

Aſſembly may call on proprietors for ſubſcriptions,

not above 20 per cent. in 1 year,

on neglect 30 days advertiſed for ſale,

ſuch notice, the ſhare or ſhares of the perſon or perſons ſo refuſing or neglecting to pay the ſum or ſums ſo called for; and unleſs ſuch perſon or perſons ſhall, before the day ſpecified in ſuch notice to pay the reſpective ſums ſo called for to the ſaid company, or ſuch perſon as they ſhall appoint for the purpoſe, ſhall ſell by publick cant at the uſual place of the ſaid company's meeting the ſhare or ſhares of the perſons ſo refuſing to pay; and the money, for which the ſame ſhall be ſold, ſhall be paid to the ſaid company for the uſe of ſuch proprietor or proprietors; and ſuch proprietor or proprietors from thenceforth be for ever barred from ſuch ſhare or ſhares, and all profits ariſing therefrom, and of all intereſt in the ſame, both in law and equity; and ſuch ſhare or ſhares, and all profits and advantages ariſing therefrom, ſhall from thenceforth be veſted in ſuch purchaſer or purchaſers: Provided always, that ſuch notice ſhall be given at leaſt thirty days previous to ſuch ſale, including the day of ſuch notice and the day of ſale.

if not paid ſold by publick cant,

the money to the company for proprietor,

the ſhare veſted in purchaſer.

30 days notice of ſale incluſive.

XXXIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid company to erect one or more turnpikes upon and acroſs any of the track ways, which now are or ſhall be made on either ſide of the ſaid navigation, and to take and receive the following tolls, for which they may diſtrain and ſell, as is uſual at other turnpikes, that is to ſay, for every coach, berlin, chariot, or chaiſe drawn by ſix horſes, one ſhilling; for every coach, berlin, chariot, or chaiſe, drawn by leſs than ſix horſes, and more than one, ſix pence; for every waggon two ſhillings and ſix pence; for every cart or other carriage with four wheels ſix pence; for every chaiſe with one horſe three pence; for every car or cart with more than one horſe two pence; for every car or cart with one horſe one penny; for every drove of oxen, cows, or neat cattle, twenty pence by the ſcore; for every drove of calves, hogs, ſheep, goats, or lambs, ten pence by the ſcore, and ſo in proportion for any greater or leſſer number.

Turnpikes erected on track ways,

and toll taken.

XXXIV. Provided always, that ſuch toll ſhall be paid only at one gate, and but once in any one day; and that no road, which is now publick, ſhall be thereby obſtructed.

At one gate only, once a day,

no road obſtructed.

XXXV. And be it enacted by the authority aforeſaid, that the clear profits, which ſhall ariſe to the ſaid company from the ſeveral duties hereby veſted in them or otherwiſe, or ſo much thereof as ſhall be thought proper, ſhall from time to time at Lady-day and Michaelmas, or within fifteen days after the ſaid feaſts reſpectively, be paid to and amongſt the reſpective proprietors of

Clear profits paid half yearly among proprietors.

of the ſaid joint ſtock in proportion to their ſhares and intereſts therein.

Name and abode of boat owners, &c. in capitals,

XXXVI. And be it further enacted by the authority aforeſaid, that the owner of every veſſel or boat navigating the ſaid canal, or any of the off branches thereof, ſhall cauſe his, her, or their names and places of abode, and alſo the name of the perſon having the care of ſuch veſſel or boat in his place of abode, with the dimenſion or tonnage of their reſpective boats or veſſels, to be painted in large capital letters on the upper part of the bow on each ſide of ſuch veſſel or boat, and to be kept conſtantly legible upon the ſame; and ſhall cauſe the ſaid ſeveral particulars to be entered in a book kept by the ſaid company for that purpoſe, and ſhall alſo cauſe the ſaid boat to be numbered as aforeſaid, or in default thereof every ſuch owner ſhall forfeit the ſum of forty ſhillings, to be recovered by any perſon who will ſue for the ſame.

kept legible booked, and boat numbered, penalty 40s.

Anſwerable for damage by crew.

XXXVII. And be it further enacted by the authority aforeſaid, that the owner of every ſuch boat or veſſel navigating the ſaid canal, or any of the ſaid off branches thereof, ſhall be anſwerable for any damage or miſchief, which ſhall be done by any of the crew or perſons belonging to ſuch boat or veſſel to any of the works of the ſaid navigation, or to any of the goods laden in ſuch boat or veſſel.

Obſtructing paſſage, or abſent, not above 40s.

XXXVIII. And be it enacted by the authority aforeſaid, that if any perſon having the charge or management of any boat or other veſſel, or navigating or working the ſame, ſhall lay ſuch boat or veſſel ſo as to obſtruct the paſſage of other boats or veſſels, and ſhall not upon requeſt immediately remove the ſame, or ſhall hinder the opening or ſhutting of any of the locks, ſluices, dams, or other works of the ſaid navigation, or if the perſon having the care or management of ſuch veſſel ſhall be abſent (unleſs by reaſon of ſome inevitable accident) from the boat or veſſel, to which he belongs, at any time during the courſe of the paſſage on the ſaid canal, cuts, or river, every perſon ſo offending ſhall for every ſuch offence forfeit any ſum not exceeding forty ſhillings.

Perſons throwing in or laying on rubbiſh, &c.

XXXIX. And be it further enacted by the authority aforeſaid, that if any perſon ſhall wilfully throw any ballaſt, ſtones, dung, dirt, rubbiſh, or clay, into the ſaid canal or cuts, or in any of the parts of the ſaid navigation, or ſhall without the conſent of the ſaid company lay any ſtones, dung, dirt, rubbiſh, brick, lime, timber, or clay, on any track road or bank belonging to the ſaid canal or navigation, ſuch perſon being thereof convicted before any juſtice of the peace of the county, or county of the city,

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where ſuch offence ſhall be committed, by the oath of one witneſs at the leaſt, ſuch perſon ſhall forfeit to the ſaid company the ſum of forty ſhillings; and in caſe ſuch offender ſhall not immediately after conviction pay ſuch ſum, ſhall by the warrant of ſaid juſtice be ſent to the houſe of correction, to be kept to hard labour for ſuch time as ſuch juſtice ſhall direct, not exceeding three months; and if any perſon ſhall keep any raft of timber or boards floating on the ſaid navigation or any part thereof without the conſent of the ſaid company, ſuch perſon, being convicted thereof before any juſtice of the peace as aforeſaid, ſhall forfeit the ſum of forty ſhillings to the ſaid company for every ſuch offence, and ſhall alſo make full ſatisfaction to the ſaid company for any damage, that may be done thereby.

on 1 witneſs before a juſtice 40s.

on nonpayment committed 3 months,

floating rafts 40s.

and ſatisfaction for damage.

Sunk boats weighed and detained till expences paid,

XL. And be it further enacted by the authority aforeſaid, that if any boat or other veſſel ſhall happen to be ſunk, and the owner or perſon having the care thereof ſhall not without loſs of time weigh or draw up the ſame out of the way of other veſſels paſſing upon the ſaid navigation, any agent or ſervant of the ſaid company may cauſe ſuch boat or veſſel to be weighed or drawn up, and detain the ſame, until payment be made of all expences occaſioned thereby; and, if ſuch payment be not made in four days, ſhall cauſe ſale to be made thereof for reimburſing the ſaid expence or incident charges, and ſhall return the overplus to the owner of ſuch boat or veſſel.

if not in 4 days, ſold,

Opening or leaving open locks, &c.

waſting the water, 3l.

to break or damage works, treble damage aſcertained by the jury,

XLI. And be it further enacted by the authority aforeſaid, that if any perſon ſhall maliciouſly open or cauſe to be opened any lock, ſluice, dam, gate, or watercourſe belonging to the ſaid navigation, or ſhall ſo leave any of the ſame open or running, after any boat or veſſel ſhall have paſſed any lock belonging to the ſaid navigation, or ſhall otherwiſe maliciouſly miſpend or waſte the water of the ſaid navigation, every perſon for ſuch offence ſhall forfeit the ſum of three pounds; and if any perſon or perſons ſhall wilfully and maliciouſly break down or damage, or cauſe to be broken down or damaged, any of the works, which are already made, or which ſhall be made for the uſe of the ſaid navigation, all and every perſons ſo offending, and being thereof convicted upon an information or indictment, ſhall forfeit to the ſaid company treble the ſum neceſſary to be laid out in repairing ſuch damage; which ſum ſhall be aſcertained by the jury, who ſhall try ſuch offence; and the judge, before whom ſuch offence ſhall be tried, ſhall commit ſuch offender or offenders to the common gaol, till he or they ſhall pay to the ſaid company

impriſoned till payment,

company the ſum or ſums ſo aſcertained; ſuch offence ſhall be laid in the county, in which the ſame happened. A. D. 1771-2.

Laid wher offence.

XLII. And be it further enacted by the authority aforeſaid, that if the ſaid company ſhall have occaſion at any time to borrow money for carrying on ſaid works, it ſhall be lawful for the ſaid company to take up and borrow upon the credit of the ſaid works and their eſtate therein any ſum not exceeding the amount of the ſubſcriptions actually expended on ſaid works at any rate of intereſt not exceeding five pounds per centum per annum, and to ſtrike debentures for ſuch ſum ſo borrowed in ſuch manner, as ſaid company by their bye laws ſhall appoint; which debentures ſhall be an actual charge and lien upon ſuch parts of the ſaid company eſtate, as ſhall be therein ſpecified.

Company may borrow, not to exceed ſubſcriptions actually expended at 5 per cent.

and ſtrike debentures.

XLIII. And be it further enacted by the authority aforeſaid, that if any ſuit ſhall be commenced or proſecuted againſt any perſon or perſons for any thing, which ſhall be done in purſuance of this act, ſuch perſon may plead the general iſſue, and give the ſpecial matter in evidence; and that this act ſhall be deemed and taken to be a publick act.

General iſſue pleaded, &c.

a publick act.

CHAP. XXXII.

An act for the relief of ſeveral inſolvent debtors, named in the annexed ſchedules.

Amended 13 & 14 G. 3. c. 44.

WHEREAS the ſeveral perſons, whoſe names are mentioned in the ſchedules hereunto annexed, have been by misfortunes rendered unable to ſatisfy the whole of their reſpective debts, and it is reaſonable to make proviſion for the relief of ſuch of them, as ſhall do their utmoſt, for the ſatisfaction of their creditors: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful to and for all and every the perſons, whoſe names are mentioned in the ſaid ſchedules, at any time before the firſt day of May one thouſand ſeven hundred and ſeventy three to exhibit petitions to his Majeſty's court of king's bench or common pleas in Dublin, ſetting forth the ſeveral matters directed to be ſet forth in the petitions of the perſons mentioned in a ſchedule annexed to an act paſſed in the firſt year of his preſent Majeſty, entitled, *An act for the relief of inſolvent debtors*; and the ſaid ſeveral perſons ſhall, upon performing the ſeveral requiſites in the ſaid act directed to be performed by the ſeveral perſons mentioned in the ſchedule thereunto annexed, be intitled to the like benefit and relief, and ſubject to the like puniſhment in caſe delivering a falſe and untrue account of their eſtate and effects, or concealing the ſame, as by the ſaid act is directed with reſpect to the ſeveral perſons, whoſe names are mentioned in the ſaid ſchedule annexed to the ſaid act; and the reſpective eſtates and effects of the perſons, whoſe names are mentioned in the ſchedules hereunto annexed, ſhall be ſubject to all and ſingular the terms and proviſions mentioned in the ſaid act with reſpect to the eſtates and effects of the perſons, whoſe names are mentioned in the ſaid ſchedules annexed to the ſaid act.

Perſons in ſchedules on petition to B. R. or C. B. before 1 May 1773, and performing requiſites in 1 G. 3. c. 16. intitled to like relief, and ſubject to like puniſhment.

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B. R. & C. B. invested with like powers as in 1 *G.* 3. c. 26.

II. And be it enacted by the authority aforesaid, that his Majesty's court of king's bench and common pleas respectively shall be invested with all and singular the like powers with respect to the persons, estates, and effects of the respective debtors, mentioned in the schedules hereunto annexed, as the said courts were respectively invested with by the said act for the relief of the persons, whose names were included in the said schedule thereunto annexed.

Debtors in 2d schedule not intitled, unless 2-3ds of real creditors in number and value sign certificate for discharge, proved on oath.

III. Provided always, that none of the persons, whose names are mentioned in the second schedule hereunto annexed, shall be intitled to take any benefit under this act, unless two thirds of the real creditors in number and value of such persons respectively shall sign a certificate signifying their consent to the discharge of such persons respectively; the truth of which certificate must be proved upon oath to the satisfaction of the court, to which such petitions are respectively preferred.

Nor any having done fraudulent act to defraud creditors.

IV. And provided always, that no person shall take any benefit by this act, who has made any fraudulent conveyance or assignment of his estate or goods, or any part thereof, either previous or subsequent to his failure with an intention to defraud his creditors or any of them, or who has done, or suffered to be done, any fraudulent act for the purpose aforesaid, and the same shall be made to appear to the satisfaction of the court, in which the petition of such debtor shall be depending, upon an examination either viva voce or by affidavit, as such court shall direct.

The

The first SCHEDULE.

Containing the names of all the prisoners and petitioners, against whom no petition has been preferred.

Antrim county. Gaol of Carrickfergus.

Bryan M'Atamony
Robert Cunningham
Thomas Weir
Gavin Morrison
Robert Dickinson
Henry Domvile
Hector Maguire
Francis Richey
William Davison
James Beatty
George M'Kenney.

Armagh county gaol.

Thomas Brownlee
John M'Gee
Owen Kiernan
David Campbell
Sarah Doran
Cullagh M'Key
Henry M'Kee
John Tweed

Carlow county marshalsea.

Mark Anthony Galbreath
William Brett.

Cavan county marshalsea.

Fitz-Herbert Dermott
Charles Gilmore
Arthur Finley
Bryan M'Gearty
Francis Smyth
Thomas Gray
William Lipsey
Farrel Sheridan
John Magoheron.

Clare county. Gaol of Ennis.

Daniel M'Donough
Patrick Lougnane
Terence M'Mahon
Patrick White
Daniel Mulconry
William Crotty
Edmond Barrett
David Cunningham
Patrick Ledan the younger.

Cork county gaol.

Patrick M'Auliff
John Barry
Edmond Wall
Cornelius Murphy
John Feen
Cornelius Curtin
Denis Collins, *alias* Cronagh
Patrick Crowly
Cornelius Sullivan
Mark Bohilly
John Moore
Thomas Moore
Mortagh Bohilly
Denis Regan
Maurice Dawly.

Youghall gaol.

Maxwell Olive.

Cork city marshalsea.

John Howard
John Davis
John Fin
James Murphy
Daniel Bourke
Denis Henderson

Cork

Cork county of the city gaol.

John Goodwin	John Mannen
Daniel chambers	Dennis Connell
John England	Timothy Keaghly
Edmond Barry	Mathew Sweeny
Timothy Sullivan	Luke Taaffe
James Mahony	John Houſe
Lawrence Lee	James Grant
Elinor Murphy	John Evans
Michael Goold	Lott Griffin
William Henneſſy	Mathew Doran
John Flynn	Peter Lombard
David Carthy	Nicholas Clements
Humphry Callaghan	Jeremiah Griffin
Owen Auglin	William Tobin
James M'Leane	Juſtin M'Carthy
Thomas Brennon	George Large
Michael Cullenane	William Gorman
Florence Sullivan	Maurice Rawley
James Mawley	Robert Baxter.

Kingſale gaol,

John Lombard	John Mahoney.

Donegal County. Gaol of Lifford.

David Bane	Roger M'Bride
Robert Steele	Patrick Boyle.
Thomas Ready	

Down county. Gaol of Downpatrick.

Henry Cloyd	Thomas Stanfield
Arthur Boyd	James Craig
William Warnock	Robert Martin.

Drogheda marſhalſea.

Mary Nicholls	Francis Higgins
Peter Traynor	Peter Levins
Joſeph Hall	Anthony Molloy.
Edward Sharp	

Dublin county. Gaol of Kilmainham.

Deborah Manwaring	William Finlay
James Delany	Daniel Byrne

Liberty of Kilmainham marſhalſea.

Robert Hannah	George Green
William Kelly	William Hodgins
Thomas Tobin	Laughlin Mullowney
Thomas Jameſon	Edward Stewart
John Stone	Joſeph Aſhley
Marcus Bourke	Patrick Glannon.

Dublin city marſhalſea.

Michael Dillon	Thomas Haltaham
Owen Toner	Thomas Strong
Thomas Hughes	Arnold Ireland
Elinor Huſham	Patrick Geehan
Mark Flinn	Robert Helliot
Moore Smith	Laurence Hambet
Alice Allen	Alice Powell
Richard Colloppy	Elizabeth Euſtace
Denis Field	William Popkins
Denis Carthy	James Lynch
James Lane	Patrick Nowlan
Patrick Geehan	Francis Farrell
William Huſſey	William Tomes
Matthew Hannon	Knox Hazleton
John Reilly	John Keating
Timothy Rourke	Thomas Manning
Daniel Brady	Philip Levy
William Bryan	Alice Fanning
Fiddy Bridges	Robert Page
Denis Carty	Edward Verlin
Edward Farrell	Patrick Sleane
Thomas Goffe	James Wright.

Dublin marſhalſea of the Four Courts.

Thomas Allen	William Fuller
Patrick Browne	Edward Fullam
Thomas Bradſhaw	Joſeph Griffin
James Boylan	Charles Gollagher
Mary Byrne	Bartholomew Gorman
Mathew Cox	Thady Gorman
Patrick Cannon	Chriſtopher Hewſon
Neal Duffy	Bryan Killarney
Richard Dowling	Laurence Hickey
Hyron Dunny	Chriſtopher Jennet
Patrick Farrell	Terence Kavenagh
Edward Fitz-Patrick	John Maginnis
Patrick Forreſter	Darby Moore
Andrew Murphy	William Saunders
Patrick Mc Lane	James Tate
Francis M'Bride	Elizabeth Taaffe, *alias* Brett
Robert M'Farlan	Edward Travers
Patrick Murphy	Thomas Walſh
John Madden	Edward Dunn
John M'Keſy	Mary Herbert
Thomas O Brien	Thomas Whitehouſe
Huſton Reynolds	Joſhua Whitehouſe
Peter Swords	Nicholas Andrews.
John Sharman	

Dublin, St. Sepulchre's Marſhalſea.

Bryan Toole.

Dublin, Thomas-court and Donore marſhalſea.

Robert Sherlock	Alexander Martin
Samuel Newport	——— Lyſaght

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Thomas Long
William Davis
Andrew Goggin
William Plunkett
Patrick Lyons.

Fermanagh county. Gaol of Eniſkillen.

Eſther Anthony
Miles Treaſſy
Thomas M'Corry.

Galway county gaol.

Gill Derrane
Michael Dirrane
William Ellwood
Joſeph Donnellan.

Galway town gaol.

Mathias Martin
John Shadwell
Denis Roberts
Patrick Kelly
Patrick Ridge
William Hutton
Thady M'Donough.

Kerry county gaol.

Denis Connell
Cornelius Broſnahan
Andrew Dawley
Ambroſe Pierſe
John Scolland
James Connor
John Rourke
Lawrence Ready
Maurice Slack
Maurice Roche
Timothy Scanlan
James Lynahan
James Healy
Martin Kealiher
Timothy Falvey.

Kilkenny county gaol.

Patrick Doyle.

Kilkenny city goal.

Gregory Newman
William Milley
John Walſh
Denis Eitz-Patrick
John Scott
James M'Evoy.

King's county. Gaol of Philipſtown.

Leitrim county. Gaol of Carrick.

Edmond M'Winey
Thomas Henderſon, junior.

Limerick county gaol.

John Mahony
Edmond Flanagan
Francis Dunn
Edward Roſe.

Limerick city gaol.

James Naſh
Thomas Linnard
Garret Herbert
Timothy Creamer
John Bryan
Mathew Neall
Michael M'Knight
Maurice Keane
William Vokes
Michael M'Mahon
Mary Green
Henry Halfpenny
Richard Howard
Michael Hogan

Londonderry county and city goal.

Daniel Sweeny
Hugh Gourney.

Londonderry

Londonderry city Marſhalſea.

Charles Lapſley
Patrick Shales
William Horner.

Longford county gaol.

Edward Mullaniff
Michael M'Hugh.

Louth county. Gaol of Dundalk.

Ann Streighton.

Mayo county. Marſhalſea Caſtlebar.

Phelim M'Donnell
Francis Jennings
Edmond Kemelin
Edmond Mullavill
Patrick Loughnane
Thomas Knavin
Laughlin M'Grale
John Kerie.

Meath county gaol.

Edward Dunn
Robert Richardſon
Patrick Blake
Francis Daniel.

Monaghan county gaol.

Andrew Crawley
Adam Ramage
Ann M'Mahon
James Hanratty
John Armſtrong
Thomas Farrell
John M'Quoan
James Jolly
Mathew Donally
Phelimy Conolly
James Donaghy
Bernard Lennon
Andrew Meckum
Michael Kane
Archibald Sloan
John M'Coll
James M'Adam
John Lyng
James Campbell.

Queen's county. Gaol of Maryborough.

Patrick Mack-Daniel
Darby Dunn
James Dixon
Thomas Stapleton.

Roſcommon gaol.

William Flynn
Michael Burne.

Sligo county gaol.

Owen Feighny
O Hara Sterling
Anthony Clarke
Andrew Holiday.

Tipperary county. Clonmell gaol.

James Short
John Carroll
Robert Goggin
Thomas Crowley
Thomas Ryan
William Fogarty
Lawford Whyte

Tyrone county. Omagh gaol.

Claudius Chriſtie
William M'Cracken
Samuel Patrick
Patrick Robinſon
James Campbell
James Jelley
John Knocker
Edward Stockman
Charles O'Neate
John Briaſt

Owen

Owen M'Teekill
Charles M'Avee
James Dougherty
James M'Elhoan
John Jardon
William Maghee.

Waterford. County gaol.
John Boland.

Dungarvan gaol.
Catherine Hallarin
Thomas Fowlow
John Fowlow
Phineas Atkins.

Waterford city goal.
John Hardy
George Bonwell
Thomas Jackſon
Thomas Garnett
Timothy Fogarty.

Weſtmeath county. Mullingar gaol.
Patrick Rourk
James Kavanagh.

Petitioners againſt whom no petitions have been preferred.

Alexander Aiken of Dublin, ſilk weaver.
John Anderſon of Dublin merchant.
Charles Butler of Durrow, in the county of Kilkenny.
John Byrne of New-row, Dublin, narrow weaver.
Thomas Browne of Dublin, dealer.
Joſeph Brice, late a priſoner in the marſhalſea of the Four Courts.
Michael Brett of Queen-ſtreet, Dublin, writing clerk.
John Byrne of Francis-ſtreet Dublin, wool comber.
Chriſtopher Buſby of the county of Dublin, publican.
Samuel Bourke of Kilkenny, carver.
Theobald Birmingham of Big-butter-lane, writing clerk.
Patrick Byrn of Stoney batter, weaver.
John Byrne of the county of Dublin, labourer.
Thomas Caulfield of Dublin, merchant.
Lawrence Callan of Dublin, publican.
Robert Campbell of Dublin, dealer.
Mathew Caſey of Dublin, grocer.
Michael Crow of Cork, baker.
George Cheevers of Church-ſtreet, Dublin, bruſh maker.
Edmond Cullen of Dublin, linen draper.
John Caſhell of Dublin, publican.
Robert Cummin of Newry, merchant.
Martin Connor of Strokeſtown, victualler.
Michael Carney of the county of Dublin, labourer.
John Chriſtian, L. L. D.
Samuel Davis of Skinners-alley Dublin, weaver.
Nathaniel Danger of Cork, wool-comber.
Francis Drew of Dublin, ſadler.
John Duck of Cork, blackſmith.
Peter Dunny, ſhoemaker.
William Dick.
Michael Duffy of Dublin, writing clerk.
Robert Dunn of Dublin, dealer.
Philip Dowlan of the Blind-quay Dublin, taylor

Edward Ennery and Theophilus Bloſſet of Dublin, woollen drapers.
Charles Fox of Brown-ſtreet, ſilk handkerchief ſtamper.
Thomas Fiſher of Drogheda, ſhoemaker.
Francis Farrell, thread maker.
John Fitzgerald of Dublin, carver.
Matthew Fox of Bull-alley, ſkinner.
Philip Fahy of Galway, taylor.
Iſaac Fleming.
Richard Graves of the city of Limerick, vintner.
Patrick Glannan, weaver.
Patrick Glinden of Cork, victualler.
Michael Glynn of Caſtle-market, publican.
Daniel Hughes of Heathſtown, farmer.
John Hogg.
John Hawkins of Dublin, merchant.
Richard Hannon of Ballybromill in the county of Carlow, publican.
John Harriſon of Dublin, ſilverſmith.
James Hearns of Dublin, butcher.
Peter Johnſon of Cork, tallow chandler.
John Jealous of Dublin, baker.
Laurence Johnſon of the Coal quay, dealer.
Thomas Jackſon of Barrack-ſtreet, ſoldier and publican.
Patrick Kiernan of Dundalk, brick maker.
Chriſtopher Kerin of Dublin, goldſmith.
John Kane of Dublin, glaſs grinder.
Richard Keary of Stephen-ſtreet, publican.
Thomas Kearney late of Ballyſhannon in the county of Kildare, farmer.
Joſeph Kindlan of Dublin, carpenter.
Joſeph Labat of Youghall, merchant.
Peter Lyons of Dublin, linen weaver.
William Lapham of Dublin, ſilk weaver.
Michael Laughlin of Kill, innholder.
William Lynch of Lazer's-hill, ſilk weaver.
Thomas Lucas of Thomas-ſtreet, publican.
Nicholas Lee of Dublin, butcher.
David Lyon of Dublin, taylor.
Daniel Lynch of Daly's-bridge, in the county of Cavan, farmer.
Lawrence M'Dermott of Dublin, ſilk weaver.
Patrick Murtagh of Dublin, victualler.
Edward M'Donald of Clarendon-market, Dublin.
Thomas Manning of Kildare-ſtreet, cabinet maker.
Patrick Meade of Cork, merchant.
——— Mulvey of Ennis, dealer.
Terence M'Gurn of Dublin, chairman and publican.
Theophilus Medcalf of Dolphin's-barn-lane, linen ſtamper.
John Morris of New-row, dealer.
James M'Crohon of Dublin, vintner.
Thomas Mahon, a fugitive for debt.
Lewis Matignon of Kilkenny, ſhoemaker.
Joſeph Middleton, linen draper.
Connor Maguire of Dublin, writing clerk.
William Major of Londonderry, merchant.
Patrick Mara of Drogheda, carman and dealer.
Patrick Malone of Church-ſtreet, cooper.
Dennis M'Laughlin, worſted weaver.
Francis Morris of Tullyrone, county Armagh, linen weaver.

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Andrew Mullin of Dublin, working jeweller.
Bryan Mullarky of Thomas-ſtreet, publican.
Henry Plunket of Dublin, worſted weaver.
Thomas Patterſon of Dublin, taylor.
Francis Pelliſier late of Dublin, ſhopkeeper.
Newburgh Pockericke of Dublin, gentleman.
Thomas Ruſſell of Cork, leather ſeller.
Myles Reilly of Dublin, publican.
Patrick Rigny of Corn-market Dublin, ale draper.
Bernard Ruſſell of Dublin, joiner.
Thomas Richey of Dublin, printer.
James Read of Francis-ſtreet, ale draper.
Anthony Reilly of Kevan-ſtreet, carpenter.
Peter Seguin of Dublin, merchant.
Denis Sullivan of Cork, carpenter.
John Scurlong of Dublin, dealer in ſpirits.
Edward Stanley, tallow chandler.
John Sale of Grafton-ſteeet, haberdaſher.
Eugene Swiney of Cork, printer.
John Tomes of Dolphin's-barn-lane, linen weaver.
John Tracy of Dublin, ſlaughter butcher.
Andrew Tanner of Watling-ſtreet, Spaniſh leather dreſſer.
John Taaffe of Balbriggan, vintner.
Timothy Unthank of New-row, ſkinner.
James Wall, weaver.
Chriſtopher Walſh of Cook-ſtreet, dealer.
Thomas Ward of Dublin, gardener.
Michael Walſh of Cork, cooper.
Patrick Wemys, of Dublin, gentleman.
Cornelius Wyer of St. John's pariſh Dublin, publican.
Denis Walſh of Dublin, grocer.
John Woods of Hog-hill, cabinet maker.
Ann Weld of Dublin, merchant.

The ſecond SCHEDULE.

Containing the names of ſuch priſoners and petitioners as have been petitioned againſt.

Antrim. Carrickfergus gaol.
Joſeph Simpſon.

Armagh county gaol.
Philip Hughes.

Cavan county marſhalſea.
John Reily — Philip Lagan.

Clare. Gaol of Ennis.
Denis Flynn.

Cork county of the city gaol.
John Goold — James Hyde.
William Phipps

Donegal. Gaol of Lifford.
Lancellot Boyde.

Down. Gaol of Downpatrick.
John Ward.

Drogheda marſhalſea.
Patrick Roark.

Dublin. Gaol of Kilmainham.

Lawrence Higgins	Richard Hand
Glaſſny M'Cann	Iſaac Hayes Dunbarr
Loftus Bernard	

Liberty of Kilmainham marſhalſea.

Chriſtopher Swords	James Lodge
Garret Deaſe	Robert Mothe
John Walſh	Charles Kathrens
James Nowlan	James Lowe.

Dublin city marſhalſea.

Bridget Hacket	Patrick Murray
John Coleman	John Dennis
Benjamin Bird	Nicholas Dunn
Silveſter Mathews	Peter Donnelly
Patrick Brennan	Arthur Ord.
Thomas Caſſidy	

Marſhalſea of the Four Courts.

John Burke	Thomas Hopkins
Mathew Bryan	Deniſon Hume
Richard Cuſack	John Hamilton
William Croſſin	Samuel Hardy
Patrick Dunnovan	Iſaac Jackſon
Peter Dougherty	Daniel Kelly
Robert Ferguſon	Darby Kervan
Robert Gardiner	Patrick Leonard
John Lyons	Valentine Swords
Patrick Lawleſs	Reverend Philip Tracy
Patrick Logan	Daniel Toole
Hugh Maffitt	Henry Thomas
Laurence O'Keeffe	Elinor Wiſe
Walter Rice	James Wilſon
Patrick Stafford	William Wilde
Nicholas Smyth	James Kerr.
Joſeph Sandys	

St. Sepulchre's marſhalſea.

Patrick Carpenter	George Hyland.

Thomas-Court and Donore marſhalſea.

Thomas Dowling	Miles Bermingham
William Euſtace	David Hanlon
John Clarke	Stephen Mara
Richard Hale	William Thurſby
Peter Fitzgerald	William Kelly.

Fermanagh. Enniſkillen gaol.
Thomas Maguire.

Galway town gaol.
Hugh Montgomery.

King's County. Philipſtown gaol.
Thomas Herbert Nugent.

Limerick city gaol.
Daniel Sheil — John Euſtace.

Longford county gaol.
George Moore.

Louth. Dundalk gaol.
Thomas Byrne — Culla M'Ilroy
Patrick Hanlon — Patrick Gartlany.

Mayo. Marſhalſea of Caſtlebar.
Richard Webſter.

Monaghan county gaol.
John Hall — James Reynolds.

Queen's county. Maryborough gaol.
Robert Turpin.

Tipperary. Clonmell gaol.
John Bluett.

Tyrone. Omagh gaol.
Robert Wilſon.

Waterford city gaol.
Richard Collins.

Petitioners petitioned againſt.

Robert Armſtrong of Clara, diſtiller.
Robert Anderſon, county Kildare, inn-holder.
Richard Adams of Carlow, merchant.
Samuel Brooke, *alias* Brooks of Dublin, merchant.
James Bonfield, ſilk weaver.
Richard Barker, pin maker.
George Brown of Werbugh-ſtreet, merchant.
Patrick Blake of Dublin, grocer.
Thomas Burnett of Dublin, haberdaſher.
Thomas Brewer, junior, of Dublin.
Emanuel Bigley.
Anthony Burton of Kevan's-port, dealer.
Richard Buſhell of the Liberty of Dublin, grocer.
Thomas Byrne of Corn-market, callender.
Anaſtatia Collin of Dublin, widow.
Thomas Croſbie of Dublin, lace man.

William Coulſon of Liſburn, linen weaver.
Robert Coppinger of Dublin, linen weaver.
Thomas Conway of Bride-ſtreet, linen weaver.
Edward Conrahy of Two-mile-bridge, woolcomber.
William Calcott of Dublin, baker.
Patrick Callan of Dublin, baker.
Sibella Coates, widow.
John Cantwell of Dublin, publican.
James Caffrey, chairman and publican.
Luke Connor of Dublin, bricklayer.
Joſhua Coates of Dublin, broker.
Robert Coyle of Dublin, bruſhmaker.
Dennis Dunn of Dublin, Linen draper.
Edward Deaſe of Balliver, in the county of Meath, dealer.
Richard Dalton of Dublin, hardware merchant.
John Dornan of Dublin, ſugar baker and grocer.
Charles Doran of Mayvore, merchant.
Luke Darling of Dublin, publican.
Nicholas Doran of Patrick-ſtreet, baſket maker.
James Dillon of Dublin, grocer.
John Dowling of Dublin, vintner.
Benjamin Debar of Dublin, coach maker.
Martin Dillon of Church-ſtreet, grocer.
Dickſon Evans of Dublin, merchant.
Mary Egan of Bridge-foot-ſtreet, ale draper.
Francis Forſter of the ſame, weaver.
Joſeph Flanagan of Dublin, ſkinner.
Michael Fullam.
Adam Fleetwood of Raghra, publican.
John Farrell of Dorſet-ſtreet, grocer.
Thomas Fiſher of Dublin, weaver.
John Forbes of Crow-ſtreet, taylor.
James Fitzgerald of Dublin, gentleman.
John Fleming of Dublin, merchant.
Francis Gorman of Dublin, vintner.
Michael Griffin of Dublin, linen draper.
John Gardiner, attorney.
John Giles of Thomas-ſtreet, grocer.
Michael Gorman of Francis-ſtreet, grocer.
Edward Gravill of New-market, ribband weaver.
George Green of Glaſnevin road, dairyman.
Thomas Hammond of Dublin, merchant.
Hugh Henry, merchant.
David Holliſter of Dublin, wine merchant.
Daniel Hannan of Dolphin's-barn, linen weaver.
William Hanna, of Chequer-lane, upholder.
George Humphries, linen printer.
Edward Houghton of Dublin, gentleman.
Benjamin Harly of the county of Dublin, ſilk weaver.
Thomas Horgan of Ormond-market, victualler.
Joſeph Hutcheſon of Limerick, ſtay maker.
Patrick Hoey of Dublin, dealer in ſkins.
Patrick Harford of Aſton's-quay, baker.
Patrick Hayes of Lener-hill, in the county of Cork, labourer.
Daniel Horgan of the ſame, labourer.
John Harold of Meeting-houſe-yard, ſhoe maker.
Andrew Kerr of Dublin, haberdaſher.

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Richard Kane of Anderſon's court, gentleman.
Samuel Knott of Dublin, butcher.
Charles Katherns of Meath-ſtreet, ſilk weaver.
Thomas Kelly of Ballybough bridge, publican.
Henry Kearns of Winetavern-ſtreet, grocer.
Thomas Kearnan of Church-ſtreet, bricklayer.
Owen Kelly of Dirty-lane innkeeper.
Philip Lenan, carver and gilder.
Edward Lynam of Summer-hill, farmer and innkeeper.
James Lynch of Dublin.
John Lacy of Dublin, victualler.
George Lodge of Dublin, butcher.
James Leſlie of Dublin, breeches maker.
Bernard Larkin of Dunſink, carpenter.
Andrew Lodge of Dublin, butcher.
Richard Loughlin of Dublin, waiter.
Michael Landy of Balrothery, brewer and diſtiller.
Robert Mothe, ſilk and worſted manufacturer.
Aaron Mickle of Dublin, clothier.
William Morris of Dublin, ſhoe maker.
Ann Maguire of Cope-ſtreet, Dublin, ale draper.
Samuel Malcolm of Abbey-ſtreet, grocer.
Nicholas M'Donagh of Dublin, ale draper.
Henry Moore of Dublin, vintner.
Patrick Mathews of Bridge-ſtreet, ale draper.
Theobald Medlicot of Dublin, woollen draper.
Andrew M'Crohon of Dublin, vintner.
Daniel Mullen of Dublin, publican.
William M'Manus of Watling-ſtreet, ſkinner.
James M'Nally of Newmarket, victualler.
Elinor Magrath of Dublin, linen draper.
James Nowlan of Skinner's-alley Dublin, ſilk weaver.
Edward Nilan of Dorſet-ſtreet, grocer.
Thomas Nangle of Dublin, linen draper.
Roſs Trevor O'Neil of Dublin, taylor.
Thomas O'Connor of Bridget-ſtreet, meaſurer.
Richard Pope of Cork, merchant.
Thomas Pigot of Dublin, wine merchant.
Hans Parry of Dublin, wine cooper and grocer.
William Perry of Dirty-lane, coach maker.
Benjamin Parvin of Dublin.
Robert Parviſole of Dublin, hatter,
Denis Quin of Nicholas-ſtreet, vintner.
Frances Ranſford of Kildare, widow.
Leake Rogers of Dublin, hatter.
James Roche and Richard Netterville of Dublin, ſugar bakers.
Edward Roe of Mountrath-ſtreet, publican.
Michael Reilly of Dublin, gentleman.
Joſeph Ravenſcroft of Dublin, peruke maker.
Thomas Smyth of Dublin, painter.
Terence Sheridan of Dame-ſtreet, vintner.
Martin Shea of Dublin, linen draper.
John Stack of Cork, cabinet maker.
John Sheridan of Dublin, vintner.
Edward Scooly of Dublin.
Owen Shiel of Dublin, tavern keeper.
Joſeph and Ephraim Thwaites of Dublin, brewers.

Robert

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Robert Taylor of Dublin, iron monger.
Joſeph Uſher of Dublin, merchant.
Marſden Warren of Dublin, merchant.
John Williams and William Sadler of Dublin, merchants.
William Warren of Swords, coach maker and inn holder.
James White of Ballynaſloe, diſtiller.
George Wooburn of George's hill coach maker.

CHAP. XXXIII.

An act for regulating the journeymen taylors and journeymen ſhipwrights of the city of Dublin and the liberties thereof, and of the county of Dublin.

WHEREAS great numbers of journeymen taylors in and about the city of Dublin and liberties thereof and in and about the county of Dublin, who have ſerved apprenticeſhips, or have been brought up in the art or myſtery of a taylor, have lately departed from their ſervices without juſt cauſe, and have entered into combinations to advance their wages to unreaſonable prices, and leſſen their uſual hours of work, which manifeſtly tends to the prejudice of trade, to the encouragement of idleneſs, and to the great increaſe of the poor of this metropolis: and whereas theſe diſorders principally ariſe from clubs and ſocieties formed and held in different parts of the ſaid city and county of Dublin, where aſſociations are entered into, oaths adminiſtered, and other illegal acts committed, which if not timely prevented may be productive of very ill conſequences: for remedy whereof be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that every perſon or perſons, who ſhall knowingly permit ſuch clubs or ſocieties to be kept and held in his, her, or their houſe or apartments, ſhall upon conviction thereof before any two or more juſtices of peace for the county, wherein ſuch perſon or perſons ſhall be reſident, upon the oath of two or more credible witneſſes forfeit and pay for every ſuch offence the ſum of twenty pounds, one moiety thereof to be paid to the informer, and the other moiety to be applied to the uſe of the blue coat hoſpital in the city of Dublin; and if ſuch offender ſhall not be able to pay ſuch fine, that it ſhall and may be lawful for the ſaid juſtices by warrant under their hands and ſeals to commit ſuch offender to the common gaol of the county, there to be kept without bail or mainprize for three months.

Journeymen taylors in and about Dublin leaving ſervice without cauſe,

combining as to wages or work,

in clubs and aſſociations,

where oaths adminiſtered, and illegal acts,

perſons permitting ſuch clubs in houſe or apartment, on 2 witneſſes before 2 juſtices pay 20*l.* to informer and the blue coat hoſpital,

or 3 months impriſoned.

II. And

A. D. 1771-2. Chap. 33.

All agreements by taylors or journeymen in Dublin or the county to advance wages or leſſen work hours, and oaths to inforce, illegal, on 2 witneſſes before 2 juſtices, on proſecution in 3 months, 10*l.* to informer and the blue coat hoſpital,

II. And be it further enacted by the authority aforeſaid, that all contracts, covenants, or agreements in writing or not in writing, heretofore made or entered into, or hereafter to be made or entered into, by or between any perſons brought up in, or profeſſing, uſing, or exerciſing the art or myſtery of a taylor or journeyman taylor in making up mens or womens cloaths in the city of Dublin or liberties thereof, or either of them, or within the county of Dublin, for advancing their wages or leſſening their uſual hours of work, and all oaths to enforce ſuch contracts or agreements, ſhall be and are hereby declared to be illegal: and further that if any taylor or journeyman taylor within the limits aforeſaid ſhall at any time or times after the firſt day of June one thouſand ſeven hundred and ſeventy two keep up, continue, act in, make, enter into, ſign, ſeal, or be knowingly intereſted or concerned in any contract, covenant, or agreement, by this act declared to be illegal, every perſon or perſons ſo offending, being lawfully convicted thereof upon the oath or oaths of two or more credible witneſs or witneſſes before any two juſtices of the peace within their juriſdictions aforeſaid upon any information exhibited or proſecution within three months after the offence committed (which oath, as well as every other oath allowed of by this act, the ſaid juſtices are hereby impowered and required to adminiſter) every ſuch offender ſhall by order of the juſtices pay a fine of ten pounds; one moiety to the informer, and the other moiety to the ſaid blue coat hoſpital; or if unable to pay ſaid fine ſuch offender ſhall be committed either to the houſe of correction there to remain and be kept to hard labour for any time not exceeding three months, or to the common gaol, as they ſhall ſee cauſe, there to remain without bail or mainprize for any time not exceeding three months.

or committed or impriſoned not above three months.

Work hours from 6 in morning till 8 at night, ſave 1, and ½ for dinner and breakfaſt,

III. And for declaring, limiting, and appointing the hours of work and wages for journeymen taylors, ſervants, and apprentices to taylors, within the limits aforeſaid, be it enacted by the authority aforeſaid, that from and after the firſt day of June one thouſand ſeven hundred and ſeventy two the hours of work for all journeymen taylors, ſervants, and apprentices to taylors, and other perſons employed, or to be employed, or retained as taylors in making up mens or womens cloaths, or ſuch ſervants or apprentices within the city of Dublin and the liberties thereof, or either of them, or within the county of Dublin, ſhall be from ſix in the morning until eight of the clock at night, excepting only that they ſhall be allowed one hour for dinner,

dinner, and half an hour for breakfaſt; in the time aforeſaid; and for the ſaid time or hours of work aforeſaid there ſhall be paid unto every journeyman taylor, or other perſon employed or to be employed or retained as a journeyman taylor, for his work during the hours aforeſaid the wages and ſums following according to the ſkill and abilities of ſuch journeyman, that is to ſay, any ſum not leſs than one ſhilling and four pence, and not exceeding one ſhilling and eight pence, *per diem*, except during the ſpace of three weeks from the publication of any order for a general mourning by the King at arms in the Dublin Gazette, and during that ſpace any ſum not exceeding two ſhillings and ſix pence.

journeymen's wages according to ſkill and ability, not under 1s. and 4d. nor above 1s. and 8d. *per* day, 2s. & 6d. for 3 weeks from order for general mourning.

IV. And be it further enacted by the authority aforeſaid, that in caſe any taylor or taylors, or other perſon or perſons acting as ſuch, or carrying on, uſing, or exerciſing the art or myſtery of a taylor within the limits aforeſaid, ſhall hire, retain, or employ any journeyman or other perſon, not being an apprentice, he, ſhe, or they ſo hiring, retaining, or employing any ſuch journeyman or other perſon aforeſaid, (apprentices excepted) ſhall and they are hereby obliged and required to pay them, according to the ſkill and abilities of ſuch journeymen after the rates aforeſaid for the full time he, ſhe, or they ſhall ſo hire, retain, and employ them, or agree ſo to do.

Hiring journeymen, &c. not apprentices, to pay as aforeſaid for the full time agreed;

V. And for more eaſy recovering the ſaid wages it ſhall be lawful for any two juſtices of the peace within the juriſdictions aforeſaid reſpectively, and they are hereby authorized and required, upon complaint upon oath made for that purpoſe to ſummon before them the party or parties offending, and for non payment of ſuch wages, or ſufficient ſatisfaction given for the ſame to the party or parties aggrieved, to iſſue their warrant for levying ſuch wages due as aforeſaid by diſtreſs and ſale of the offender's goods, rendering the overplus to the owner: and for want of ſuch ſufficient diſtreſs to commit the party or parties offending to the common gaol, there to remain without bail or mainprize until he, ſhe, or they ſhall pay or give ſatisfaction to the party for the ſame.

For recovering wages 2 juſtices may on oath ſummon;

for non-payment or ſatisfaction, diſtreſs and ſale,

or impriſonment,

VI. And in regard it may be reaſonable upon ſome occaſions to alter the wages and hours of work aforeſaid: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the juſtices of the peace of the county of the city of Dublin aforeſaid at the general quarter ſeſſions, and they are hereby authorized and required, upon application to be made to them for that purpoſe, to take into their conſideration the

on ſcarcity 3 months, and other circumſtances, wages on application altered at ſeſſions.

A. D. 1771-2. Chap. 33.

plenty or ſcarcity of the time, provided ſuch ſcarcity has continued for three months, and other circumſtances neceſſary and proper to be conſidered, and to alter the wages aforeſaid, and to order and appoint what wages and allowances ſhall be paid to journeymen taylors and ſervants retained or employed, or to be retained or employed, in the art or myſtery of a taylor as aforeſaid, within the limits aforeſaid, and ſhall make ſuch alterations therein from time to time, as ſuch juſtices at any ſuch general ſeſſions ſhall think fit upon application to be made to them for that purpoſe; and ſuch juſtices ſhall within the ſpace of ſeven days next after ſuch general ſeſſions cauſe ſuch rates and alterations from time to time to be printed, publiſhed, and made known, in ſuch manner as to them ſhall ſeem meet, at the reaſonable expence of any perſon or perſons deſiring the ſame; and from and after publication thereof all taylors, and their journeymen and ſervants, within the limits aforeſaid after ſuch knowledge or information of any ſuch rates or alterations thereof to be made as aforeſaid, are hereby ſtrictly required to obſerve the ſame under the penalty of one hundered pounds to be forfeited, paid, and applied as aforeſaid by every offender for every offence upon conviction before two juſtices of peace in their reſpective juriſdictions upon the oath of one credible witneſs; or in default of payment of ſuch fine that it ſhall and may be lawful for ſuch juſtices to commit ſuch offender to the common gaol without bail or mainprize for any time not exceeding ſix months; provided that every proſecution in this particular ſhall be commenced within thirty days after the offence committed.

publiſhed in 7 days,

100*l.* on non-obſervance,

on 1 witneſs before 2 juſtices,

or impriſoned 6 months.

proſecution in 30 days,

VII. Provided always, that nothing in this act ſhall extend to controul or hinder the paying or receiving further or other wages or allowances (not exceeding three pence by the hour in times of general mourning, and two pence by the hour at any other times) which ſhall be agreed upon for working before or after the limited hours, ſo that ſuch overwork be not any one time leſs than one hour, and be actually and *bona fide* performed by ſuch journeyman or ſervant.

Further wages allowed for over work, 3d. *per* hour in general mourning, 2d. other times,

not leſs than one hour and actually performed.

VIII. And be it further enacted by the authority aforeſaid, that if any perſon actually retained or employed as a journeyman taylor or ſervant in the art or myſtery of a taylor as aforeſaid within the limits aforeſaid, ſhall at any time or times after the firſt day of June one thouſand ſeven hundred and ſeventy two depart from his ſervice before the end of the term or time, for which he is or ſhall be hired or retained, or until the work, for

Departing ſervice before the time or work finiſhed,

which he was hired or retained, ſhall be finiſhed, or, not being retained or employed, ſhall refuſe to enter into work or employment after requeſt made for that purpoſe by any maſter taylor for the wages and hours limited or to be limited and appointed as aforeſaid, unleſs it be for ſome reaſonable or ſufficient cauſe to be allowed by two juſtices of the peace within the juriſdictions aforeſaid reſpectively, who are hereby authorized and required to inquire into the ſame, and to ſummon ſuch perſon before them; then in every ſuch caſe every perſon ſo offending, being thereof lawfully convicted as aforeſaid, ſhall pay a fine of ten pounds; one moiety to the informer, and the other moiety to the ſaid blue coat hoſpital; or if unable to pay ſuch fine ſhall by ſuch juſtices be ſent to the houſe of correction, there to be kept to hard labour for any time not exceeding three months.

refuſing employment for the wages and hours limited, unleſs cauſe allowed by 2 juſtices,

10*l.* to informer and blue coat hoſpital,

or committed 3 months.

IX. And for the more effectual preventing the miſchiefs and inconveniencies which may happen by non-obſervation of this act, or by ſeducing or inticing any of the journeymen taylors or ſervants aforeſaid from one maſter to another, be it enacted by the authority aforeſaid, that if any taylor or other perſon profeſſing, uſing, or exercifing the art or myſtery of a taylor as aforeſaid within the limits aforeſaid, or any other perſon aforeſaid ſhall at any time after the firſt day of July one thouſand ſeven hundred and ſeventy two give, allow, or pay any more or greater wages than as aforeſaid for the hours of work aforeſaid to any ſervant or journeyman in money or othewiſe contrary to the intent of this act, every perſon ſo offending, being thereof lawfully convicted before two juſtices of the peace within the ſaid reſpective juriſdictions upon the oath of one or more credible witneſs within three months after the offence committed, ſhall forfeit and pay the ſum of one hundred pounds, one moiety whereof ſhall be to the informer or proſecutor, and the other moiety to the ſaid blue coat hoſpital; and every ſuch ſervant or journeymen taking more or greater wages than as aforeſaid for the hours of work aforeſaid, being thereof convicted as aforeſaid, ſhall pay a fine of ten pounds; one moiety to the informer, and the other moiety to the ſaid blue coat hoſpital; or if unable to pay ſuch fine ſuch offenders reſpectively ſhall be ſent to the houſe of correction, there to be kept to hard labour for any time not exceeding three months; and all retainers, promiſes, obligations, or ſecurities for any wages, pay, or allowances contrary to this act, ſhall be null and void.

Giving greater wages, in money or otherwiſe, 100*l.* on 1 witneſs before 2 juſtices in 3 months,

taking greater 10*l.*

or commited 3 months,

all ſecurities to pay contrary, void.

X. Provided

A. D. 1771-2. Chap. 33.

X. Provided always, that this act, or any thing therein contained, ſhall not extend to hinder the paying or receiving any more or other wages or allowances, which ſhall be agreed upon for working before or after the hours of work limited or appointed or to be limited or appointed as aforeſaid.

other wages agreed on for work before or after hours limited allowed.

XI. Provided alſo, that it ſhall and may be lawful for any perſon aggrieved by any order or orders, to be made by any two or more juſtices of the peace aforeſaid, to appeal to the juſtices of the peace aſſembled at the next general quarter ſeſſions to be holden for the city of Dublin or county of Dublin reſpectively, giving ſeven days notice of ſuch appeal; and ſuch juſtices in ſuch general quarter ſeſſions ſhall finally hear and determine the matter, and ſhall have power to award reaſonable coſts, not exceeding twenty ſhillings, to either party, as to them ſhall ſeem juſt.

Appeal to ſeſſions on 7 days notice,

coſt to either, not above 20s.

XII. Provided alſo, that any perſon convicted of any offence againſt this act, and who ſhall ſuffer for the ſame accordingly, ſhall not be otherwiſe puniſhed or ſuffer for ſuch offence by authority of any law now in force.

No other puniſhment.

XIII. And be it further enacted by the authority aforeſaid, that any two juſtices of the peace for the county of the ſaid city or county of Dublin reſpectively may, and they are hereby required, on information on oath made before them that there is reaſon to ſuſpect, that any perſon uſing or following the buſineſs of a maſter or journeyman taylor within the reſpective juriſdictions aforeſaid hath given, paid, allowed, or received greater wages or allowances than as aforeſaid, at the requeſt of ſuch informant to iſſue their ſummons requiring any perſon or perſons whatſoever, whoſe attendance ſuch informant ſhall think neceſſary for giving evidence in the premiſſes, to attend; and if any perſon ſummoned ſhall not attend, and proof be made of the ſervice of ſuch ſummons either perſonally or by leaving the ſame at the laſt or uſual place of abode of ſuch perſon, the ſaid juſtices are hereby authorized and required (unleſs a reaſonable and ſatisfactory excuſe be made for ſuch non attendance) to iſſue their warrant for apprehending and bringing ſuch perſon before them, or ſome other two or more juſtices; and if any perſon ſo attending or brought before them ſhall refuſe to be examined or give teſtimony, they ſhall commit him or her to the houſe of correction, until he or ſhe ſhall ſubmit; provided ſuch perſon ſhall not be obliged to give evidence, which may tend to criminate himſelf.

2 Juſtices, on oath of reaſon to ſuſpect more wages paid, ſhall ſummon any to give evidence,

unleſs reaſonable excuſe for non attendance, apprehended,

refuſing teſtimony, committed,

not to criminate himſelf.

XIV. And

Proviſions againſt combinations not invalidated, a publick act, general iſſue pleaded, &c.

XIV. And be it further enacted by the authority aforeſaid, that nothing in this act ſhall invalidate any of the proviſions, made againſt combinations amongſt manufacturers by any of the laws now in force, (ſave as aforeſaid) and that this act may be allowed to be a publick act in all courts, and all judges and juſtices are to take notice thereof as ſuch without ſpecially pleading the ſame; and that if any perſon ſhall be ſued for acting under the authority of this act, ſuch perſon may plead the general iſſue, and give the ſpecial matter in evidence.

Shipwrights,

XV. Whereas the journeymen ſhipwrights in and about the city of Dublin have likewiſe lately departed their ſervices without juſt cauſe, and have entered into combinations to advance their wages to unreaſonable prices, and leſſen their uſual hours of work, by means whereof the buſineſs uſually done in this city has been by ſuch illegal and refractory proceedings removed to parts beyond the ſea to the manifeſt injury of the trade and commerce of the ſaid city: for remedy whereof be it enacted by the authority aforeſaid, that every clauſe herein contained, ſo far as the ſame relates to the journeymen taylors of the city of Dublin, ſave only as to the hours of work and rates of wages, ſhall be of the ſame force and effect with reſpect to the ſhipwrights of the city of Dublin.

all clauſes as to journeymen taylors, ſave as to hours of work and rates of wages, extend to ſhipwrights,

Work hours for ſhipwrights from 6 to 6, ſave for dinner and breakfaſt,

XVI. And for declaring, limiting, and appointing the hours of work and rates of wages for journeymen ſhipwrights be it enacted by the authority aforeſaid, that from and after the firſt day of June one thouſand ſeven hundred and ſeventy two the hours of work for all journeymen ſhipwrights and ſervants employed, or to be employed, or retained as ſhipwrights, ſhall be from ſix o'clock in the morning until ſix o'clock in the afternoon, excepting only that they ſhall be allowed one hour for dinner and half an hour for breakfaſt in the time aforeſaid, without eſteeming a tide's work only a day's work, when they grave or coat a veſſel; and for the ſaid time or hours of work aforeſaid there ſhall be paid unto every journeyman ſhipwright, or other perſon employed or to be employed or retained as a journeyman ſhipwright, for his work during the hours aforeſaid, the wages and ſums following, according to the ſkill and abilities of ſuch journeyman, any ſum not leſs than two ſhillings and not exceeding two ſhillings and ſix pence a day, with the like powers, reſervations, and penalties, both as to maſter and journeyman, in the foregoing act mentioned for enforcing the ſame.

wages not under 2s. nor above 2s. and 6d. a day,

like powers to inforce.

A. D. 1771-2.

10*l.* on quitting work unfiniſhed, unleſs ſickneſs, &c.

XVII. Be it enacted by the authority aforeſaid, that any ſhipwright quitting his work unfiniſhed, unleſs obliged by ſickneſs or ſome other fatality, without the licence of his employer firſt had, ſhall forfeit the ſum of ten pounds, to be recovered in the manner herein before mentioned.

CHAP. XXXIV.

An act for the remitting of priſoners with their indictments by the juſtices of his Majeſty's court of King's Bench to the places, where the crimes were committed.

Priſoners and indictments removed into B. R. may be remanded where the treaſon or felony charged,

WHEREAS perſons, indicted for high treaſon and felony, may remove as well their bodies as their indictments into the court of king's bench, if that court ſhall think fit, and cannot by order of law be remitted or ſent down to the juſtices of gaol delivery or of the peace, or other juſtices or commiſſioners, to proceed upon them: be it therefore enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that in every ſuch caſe the juſtices of the king's bench ſhall have full authority and power by their diſcretions to remand and ſend down as well the bodies of all ſuch perſons as their indictments into the counties, where the ſaid high treaſon or felony are or ſhall be charged in ſaid indictments to be committed or done, and to command all juſtices of gaol delivery, juſtices of the peace, and all other juſtices and commiſſioners of oyer and terminer, and every of them, to proceed and determine upon all the aforeſaid bodies and indictments ſo removed after the courſe of the common law, in ſuch manner as the ſame juſtices of gaol delivery, juſtices of the peace, and other commiſſioners, or any of them might or ſhould have done, if the ſaid priſoners or indictments had never been brought into the ſaid king's bench.

and proceeded upon, as if never removed.

CHAP.

CHAP. XXXV.

An act to empower Agmondiſham Veſey eſquire, to encloſe that part of the old road which lies on the weſt ſide of the little river, called the Griffin, upon laying out ſuch other road, as in this act is mentioned.

WHEREAS a new bridge has been built at the expence of the county of Dublin over the river Liffey, near the village of Lucan: and whereas Agmondiſham Veſey eſquire, has conſented and undertaken, that the road from the ſaid new bridge ſhall be carried without any expence to the county through his eſtate, in a ſtreight line from the ſaid bridge to Thomas Lynch's houſe, where it will interſect the turnpike road, which will be conſiderably ſhortened thereby: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that as ſoon as the ſaid new road ſhall be finiſhed, it ſhall and may be lawful to and for the ſaid Agmondiſham Veſey to ſtop and incloſe that part of the old road which lies on the weſt ſide of the little river, called the Griffin.

The old road may be ſtopped, as ſoon as the new road undertaken is finiſhed.

II. And be it enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and ſhall be judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whatſoever without ſpecially pleading the ſame.

A publick act.

A COL-

A. D. 1773-4.

A COLLECTION OF STATUTES.

The thirteenth and fourteenth years of GEORGE III.

CHAP. I.

An act for granting unto his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, except of the manufacture of Great Britain.

WE your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in parliament aſſembled, having a juſt ſenſe of your royal care for the proſperity of all your ſubjects, and well knowing that the ſecurity of this realm, and the continuance of the many bleſſings we enjoy under your Majeſty's mild and auſpicious reign, depend on the ſupport of your Majeſty's government: and whereas twelve thouſand effective men, commiſſion and non commiſſion officers included, are neceſſary to be maintained within this kingdom for its defence: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſ-

12,000 effective men, officers included, neceſſary for defence.

ſembled, and by the authority of the ſame, that three thouſand and forty ſix men, commiſſion and non commiſſion officers included, which have been raiſed in purſuance of an act of parliament paſſed in this kingdom in the ſeſſion of one thouſand ſeven hundred and ſixty nine, be continued for two years from the firſt day of January one thouſand ſeven hundred and ſeventy four to the thirty firſt day of December one thouſand ſeven hundred and ſeventy five inclusive, ſo as that the forces on the eſtabliſhment in this kingdom may amount to fifteen thouſand and forty ſix effective men, commiſſion and non commiſſion officers included.

3046 men, officers included, raiſed purſuant to 9 *G.* 3. c. 2. continued 2 years from 1ſt January 1774 to 31 December 1775,

ſo as eſtabliſhed forces 15046 officers included,

To keep 12000 for neceſſary defence at all times, unleſs invaſion or rebellion in *Great Britain*,

and for other neceſſary expences,

Additional duties from 25 Dec. 1773 to 25 Dec. 1775,

II. And in order to enable your Majeſty to carry into execution your Majeſty's gracious intentions and determined reſolutions, ſignified to us by his excellency the late lord lieutenant by your Majeſty's command, to keep within this kingdom for the neceſſary defence of the ſame twelve thouſand effective men, commiſſion and non commiſſion officers included, at all times unleſs in caſes of invaſion or rebellion in Great Britain, and to defray the other neceſſary expences of your Majeſty's government, we do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three until the twenty fifth day of December which ſhall be in the year one thouſand ſeven hundred and ſeventy five inclusive, and no longer, there ſhall be throughout his Majeſty's kingdom of Ireland granted, raiſed, collected, levied, and paid to his Majeſty, his heirs and ſucceſſors, the ſeveral rates, additional duties, and impoſitions herein after mentioned (that is to ſay) for and upon every thirty two gallons of beer or ale above the price of ſix ſhillings the barrel, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately (ſuch gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch) the ſum of two ſhillings to be paid by the common brewer, or by ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame, and ſo proportionably for a greater or leſſer quantity; and for every thirty two gallons of beer or ale of the price of ſix ſhillings the barrel or under, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons, who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately (each gallon to contain two hundred and ſeventy two cubical inches and one fourth part of a cubical inch) the ſum of four pence to be paid by the common brewer or ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame during the time aforeſaid; and ſo proportionably for a greater or leſſer quantity: for every gallon of *aquavitæ*, ſtrong waters, or ſpirits made or diſtilled within this kingdom for ſale, the ſum of four pence to be paid by the firſt maker or diſtiller thereof during the time aforeſaid; for every pound weight of tobacco, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence half penny; for every yard of muſlin, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of ſix pence; for every yard of all ſorts of ſilks and ſtuffs, made and manufactured in Perſia, China, or the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of one ſhilling and ſix pence; for every ton of wine, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of four pounds; and ſo proportionably for a greater or leſſer quantity: for every gallon of brandy, ſtrong waters, and ſpirits perfectly made, and of ſpirits made and diſtilled of wine not above proof, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of eight pence; and ſo proportionably for a greater or leſſer quantity: and for every gallon of foreign ſpirits above the quality of ſingle ſpirits which ſhall be imported into this kingdom during the time aforeſaid, an additional duty ſhall be paid for ſuch ſpirits, and ſhall be charged thereon in proportion to the duties payable for ſingle ſpirits of the ſame denomination according

on beer or ale above 6s. *per* barrel, 2s. 32 gallons,

272 inches 1-4th *per* gallon,

of 6s. *per* barrel or under 4d.

Aquavitæ, ſtrong waters, ſpirits, 4d. *per* gallon,

Tobacco imported 3d. h. *per* lb.

Muſlin 6d. *per* yard.

Silks, ſtuffs of *Perſia*, &c. 1s. and 6d.

Wine 4l. *per* ton.

Brandy, waters, ſpirits perfect, and not above proof, imported, 8d. *per* gallon.

ſpirits above ſingle charged in proportion to duties for ſingle of ſame denomination,

cording to the comparative degree of ſtrength, which ſuch ſpirits ſo to be imported ſhall bear to ſingle ſpirits of the ſame denomination; for and upon every pound weight of coffee, chocolate, and cocoa nuts, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence; a tax of one ſhilling *per* barrel upon all herrings that ſhall be imported into this kingdom (except Britiſh herrings) during the time aforeſaid; an additional duty of twenty ſhillings ſterling on every hundred weight of molaſſes; an additional duty of twenty ſhillings ſterling on every hundred weight of treacle; an additional duty of ſix pence *per* yard for and upon all foreign ſtuffs called romalls, and all manufactures made of cotton, or of cotton and linen mixed, whether plain, painted, or ſtained, which ſhall be imported into this kingdom during the time aforeſaid from any parts beyond the ſeas (except the manufacture of Great Britain;) an additional duty of ſix pence *per* hide for and upon every raw and untanned hide, which ſhall be exported out of this kingdom to parts beyond the ſeas (except to Great Britain) during the time aforeſaid; an additional duty of one ſhilling for every rheam of writing or printing paper, which ſhall be imported into this kingdom during the time aforeſaid (except of the manufacture of Great Britain); an additional duty of ſix pence *per* yard over and above the preſent duties on all damaſk towelling or napkins, made of flax or hemp, imported into this kingdom from foreign parts, or from any other place than Great Britain, during the time aforeſaid, at or under a yard wide, and of one ſhilling *per* yard on all ſuch goods from ſix quarters to eight quarters wide, and of two ſhillings *per* yard on all ſuch goods from eleven quarters to twelve quarters wide.

Coffee, chocolate, cocoa 3d. *per* lb.
Herrings, ſave *Britiſh*, 1s. *per* barrel,
Molaſſes, treacle, 20s. *per* hundred.
Romalls, cottons, ſave *Britiſh*, 6d. *per* yard.
raw hides, except to *Britain* 6d.
paper, ſave *Britiſh*, 1s. *per* rheam.
Damaſk towels, except from *G. Britain* 6d. *per* yard, from 6 *to* 8 quarters, 1s. from 11 to 12, 2s.

III. And be it further enacted by the authority aforeſaid, that the ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice treaſurer or vice treaſurers, paymaſter or receiver general, of this kingdom, upon iſſuing or payment of any ſum or ſums which ſhall or may ariſe out of the aids herein before particularly mentioned, ſhall be received by the ſaid vice treaſurer or vice treaſurers, receiver or paymaſter general, for the uſe of his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, and ſhall be duly accounted for by him or them to his Majeſty, his heirs and ſucceſſors, as a further additional aid hereby given and granted for the further ſupport of his Majeſty's government.

The 6d. *per* lb. and all other fees accounted for as further additional aid.

IV. Be it further enacted by the authority aforeſaid, that the ſeveral further additional rates, duties, and impoſitions herein after mentioned, ſhall be granted, raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the twenty fifth day of December one thouſand ſeven hundred and ſeventy five inclusive; that is to ſay, a further additional duty of four pounds thirteen ſhillings and four pence *per* ton for and upon all French wines; a further additional duty of ſix pounds *per* ton for and upon all wines of the growth of Portugal, and a further additional duty of four pounds eleven ſhillings *per* ton for and upon all Rheniſh wines, and all other wines (except Spaniſh wines) which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame, and ſo proportionably for a greater or leſſer quantity; a further additional duty of ſix pence *per* gallon for and upon all brandy, geneva, and other ſpirits, that ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the twenty fifth day of December one thouſand ſeven hundred and ſeventy five, except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, over and above all other duties now payable for the ſame; a further additional duty for and upon all teas imported into this kingdom, which ſhall have been purchaſed at the India company ſales for an higher price than four ſhillings Britiſh *per* pound, at the rate of one penny *per* pound weight for every ſix pence Britiſh that ſhall be paid for the ſame over and above the ſum of four ſhillings Britiſh at the ſales above mentioned, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the twenty-fifth day of December one thouſand ſeven hundred

Further additional duties from 25 Dec. 1773 to 25 Dec. 1775, on *French* wine 4l. 13s. 4d. *per* ton.
port 6l.
Rheniſh and others except *Spaniſh* 4l. 11s.
ſpirits imported, except of the ſugar colonies 6d. *per* gallon,
Tea at 1d. *per* lb. weight for every 6d. *Britiſh* paid above 4s. *Britiſh* at company's ſales,
the price in cockets.

hundred and ſeventy five incluſive, the price of the teas to be inſerted in the cockets, and to be further aſcertained by a reference to the ſale books of the Eaſt India company, copies whereof, or of ſuch parts thereof as ſhall relate to the teas ſo imported, atteſted by the principal accountant, or deputy accountant for the time being of the Eaſt India company, the commiſſioners of the revenue are required to procure from time to time, for the purpoſes above mentioned, and which copies ſhall be admitted as evidence in all proſecutions commenced or ariſing upon this act; a further additional duty of ſix pence *per* pack for and upon all painted or playing cards, that ſhall be manufactured or vended in this kingdom between the twenty fifth day of December one thouſand ſeven hundred and ſeventy three and the twenty fifth day of December one thouſand ſeven hundred and ſeventy five, over and above all other duties now payable for the ſame; a further additional duty of ten ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one, and of twenty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep exceeding that number, except hackney and ſtage coaches, and coaches kept by coachmakers for ſale, and alſo an additional duty of ten ſhillings on all chaiſes with two wheels, which any perſon ſhall keep in his or her poſſeſſion (except hackney chaiſes, and chaiſes kept by the makers for ſale) from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the twenty fifth day of December one thouſand ſeven hundred and ſeventy four incluſive, over and above all other duties now payable for the ſame; a further additional duty of ten ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one, and of twenty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep exceeding that number (except hackney and ſtage coaches, and coaches and other ſuch carriages with four wheels as aforeſaid, kept by coachmakers for ſale;) and alſo an additional duty of ten ſhillings on all chaiſes with two wheels, which any perſon ſhall keep in his or her poſſeſſion (except hackney chaiſes, and chaiſes kept by the makers for ſale) over and above all other duties now payable for the ſame, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy four to the twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive.

and reference to company's books, copies whereof evidence.

Cards 6d. *per* pack above all duties.

2 4 wheeled carriage 10s. every one over (except hackneys, &c.) 10s. 2 wheel chaiſes 10s.

to 25 Dec. 1774,

the like to 25 Dec. 1775.

V. And be it further enacted by the authority aforeſaid, that for the better collecting the ſaid duty chargeable on every perſon, who ſhall keep any carriage, with four wheels or two wheels (except as before excepted) every perſon, who from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſes with two wheels, ſhall within three calendar months after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, or within three calendar months after he or ſhe ſhall have or keep any ſuch coach, chariot, berlin, calaſh or chaiſe with four wheels, or chaiſe with two wheels, by writing under his or her hand certify to the collector of exciſe in ſome one of the diſtricts, where he or ſhe ſhall reſide or dwell within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh, and chaiſe with four wheels, and chaiſe with two wheels, which he or ſhe ſhall have or keep (except hackney or ſtage coaches, and coaches kept by coach makers for ſale) and (except hackney chaiſes, and chaiſes with two wheels, kept by the makers for ſale) with the name of the place and pariſh of his or her reſidence or abode at the time of giving ſuch certificate; which ſaid certificate ſhall be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom for the time being, and ſhall be alſo entered or regiſtered in an alphabetical book, to be by them reſpectively kept for that purpoſe; and a copy of ſuch entry ſigned by ſuch collector or his clerk ſhall be delivered, if required, without any fee or reward to the perſon delivering ſuch certificate; and a number ſhall be entered on each certificate ſo regiſtered: and that the ſaid collectors reſpectively ſhall under their hands on or before the twenty fifth day of

Certificate of ſuch carriages to collector in 3 months, with abode,

regiſtered alphabetically and numbered,

of December in every year give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and all chaiſes with two wheels, from time to time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode reſpectively mentioned in ſuch reſpective certificates, to the perſons who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe or any three of them to collect and receive the ſaid duties; and that ſuch perſons, as ſhall be appointed by the ſaid commiſſioners of exciſe or any three of them to collect and receive the ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall have full power and authority to levy, collect, and receive the ſame within the diſtrict, where the certificate ſhall be entered, in the ſame manner as his Majeſty's revenue ariſing from fire hearths is now by law levied, collected, and received, and ſhall reſpectively ſign and deliver acquittances without fee or reward for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty of fire hearths, and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner, as books containing the duplicates of acquittances for the ſaid duty on fire hearths are returned; and that the duties aforeſaid ſhall be paid in the reſpective diſtricts, wherein the ſaid carriages ſhall be entered or regiſtered reſpectively, and in no other.

liſts returned by 25 Dec. yearly to collector of duty,

levied in diſtrict where certificate entered as hearth money,

acquittances without fee,

duplicates booked and returned,

duty paid only where carriages regiſtered.

VI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, chargeable with the ſaid reſpective duties by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons ſo having or keeping ſuch coach, chariot, berlin, calaſh or chaiſe with four wheels or chaiſe with two wheels, not certified as aforeſaid, ſhall for ſuch neglect forfeit the ſum of twenty pounds; to be ſued for, recovered, levied, and applied in ſuch manner and form and by ſuch ways and methods, as are preſcribed and appointed in and by an act of parliament made and paſſed in the fourteenth and fifteenth years of the reign King Charles the ſecond, intitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

Not certifying carriages penalty 20l. by 14 and 15 *C.* 2. *c.* 8.

VII. Provided nevertheleſs, that every perſon (except as before excepted) having in his or her keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, belonging to another perſon, ſhall be charged for every ſuch coach, chariot, berlin, calaſh or chaiſe with four wheels, or chaiſe with two wheels, with the ſaid duty impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

Poſſeſſor charged as owner.

VIII. And be it further enacted by the authority aforeſaid, that the perſon or perſons, who for the time being ſhall be authorized and empowered to collect and levy the ſaid duty on coaches, chariots, berlins, calaſhes and chaiſes with four wheels, and chaiſes with two wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duties ſhall be collected and raiſed: and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into his Majeſty's treaſury as other money received by them for the uſe of his Majeſty.

Paid to collector of the diſtrict.

ſeparate accounts kept, paid to treaſury.

IX. Provided always, that nothing in this act ſhall extend or be conſtrued to extend to charge any perſon or perſons, who ſhall keep and certify to the ſaid collector of exciſe in manner above mentioned any coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid additional duty of ten ſhillings chargeable upon chaiſes with two wheels; nor to charge any cabriolet or garden chair; or to oblige ſuch perſon or perſons to make any entry of any ſuch chaiſes with two wheels, or ſuch cabriolet, or garden chair.

Certifying 4 wheeled carriage not charged with duty on 2 wheeled,

nor cabriolet.

All ſaid duties raiſed and paid as by 14 and 15 C. 3. c. 8. and 9.

X. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional duties, and further additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, levied, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid over and above all other duties payable by virtue of an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, intitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act made in the fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, intitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland according to the book of rates hereunto annexed.*

The 6d. *per £.* and all other fees on payment of money out of the newly granted duties, received by vice treaſurers and duly accounted for.

XI. And be it further enacted by the authority aforeſaid, that the ſix pence *per* pound and all other fees, which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, upon iſſuing or payment of any ſum or ſums of money which ſhall or may ariſe out of the aforeſaid duties hereby newly granted, (that is to ſay,) the aforeſaid duty of four pounds thirteen ſhillings and four pence *per* ton for and upon all French wines; the aforeſaid duty of ſix pounds *per* ton for all wines of the growth of Portugal; the ſaid duty of four pounds eleven ſhillings *per* ton for all Rheniſh wines and all other wines, except Spaniſh wines; the aforeſaid duty of ſix pence *per* gallon on all brandy, geneva, and all other ſpirits, except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America; the aforeſaid duty on all teas imported; the aforeſaid duty of ſix pence *per* pack upon all painted or playing cards; the aforeſaid duties on coaches, chariots, berlins, calaſhes, or chaiſes with four wheels, or chaiſes with two wheels, ſhall be received by the ſaid vice treaſurer or vice treaſurers, receiver or paymaſter general, for the uſe of his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, and ſhall be duly accounted for by him or them.

Drawback on ſaid additional and further additional duties,

12 months to ſtrangers, ſubjects 24.

XII. Provided always, and be it further enacted by the authority aforeſaid, that if the ſaid wines and other goods and merchandizes hereinbefore mentioned, upon which the ſaid additional duties and further additional duties hereby granted are charged upon the importation thereof, ſhall after payment thereof, or ſecurity given for the ſame, be again exported by any merchant or merchants, that is or are a ſubject or ſubjects of this realm or any other of his Majeſty's dominions within twenty four calendar months, or by merchant ſtrangers within twelve calendar months, after the importation thereof, and due proof firſt made by certificate from the proper officer of the due entry and payment of the ſaid additional duties and further additional duties hereby granted and charged thereon, or ſecurity being given for the ſame, and that all other requiſites have been performed, which are by law required to be performed in thoſe caſes, where the duties of exciſe are to be repaid by virtue of the before mentioned act, intitled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; that then the ſaid additional duties and further additional duties hereby impoſed ſhall without any delay or reward, if the ſame ſhall have been paid, be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame, within one month after demand thereof; or if the ſame ſhall not have been paid, the ſecurity for the ſaid additional duties and further additional duties by this act charged ſhall be vacated or diſcharged as to ſo much thereof, as ſhall be ſo exported; any thing herein contained to the contrary notwithſtanding.

Duties on coffee, &c. to linen manufacture,

XIII. And be it further enacted by the authority aforeſaid, that the additional rates and duties hereby granted and impoſed on coffee, chocolate, and cocoa nuts, and all monies ariſing thereby, ſhall be paid to the truſtees appointed for the management

nagement of the hempen and flaxen manufactures of this kingdom to be by them applied to encourage and ſupport the ſaid manufactures and the trade thereof in this kingdom; and that the ſaid additional duties on raw and untanned hides, and all money ariſing thereby, ſhall be paid to the ſaid truſtees to be by them applied towards encouraging the raiſing of flax-ſeed in this kingdom.

on raw hides to raiſing flax ſeed.

XIV. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the term aforeſaid at the ſame time, in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, intitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes, as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe, is provided.

Said duties levied as by 14 and 15 *C.* 2. c. 8 or other exciſe law, with like appeal.

XV. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three a ſeparate and diſtinct account ſhall be kept by the proper officer or officers of the ſeveral ſums ariſing from the aforeſaid ſeveral aids, duties, and taxes hereby newly granted as aforeſaid, and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general, and that the accountant general ſhall return a ſeparate account of the aforeſaid ſums ariſing from the ſaid aids, duties, and taxes hereby newly granted, to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury; which ſaid receipt the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby required to give accordingly.

Separate accounts kept of duties newly granted,

weekly abſtracts to accountant general,

ſeparate returns to vice treaſurers,

and ſeparate receipts given.

XVI. And be it further enacted by the authority aforeſaid, that the ſeveral ſums herein after mentioned be paid out of the aforeſaid additional duties and aids granted to his Majeſty by this preſent act to the perſons and for the purpoſes herein after mentioned, that is to ſay, the ſum of four thouſand pounds to the right honourable the ſpeaker of the houſe of commons to enable him to maintain the ſtate and dignity of his office; the ſum of two thouſand pounds *per annum* for two years from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive to the truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom to encourage the raiſing ſufficient quantites of hemp and flax in this kingdom; and alſo the further ſum of two thouſand pounds *per annum* for two years from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive to the ſaid truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom for the encouragement of the ſaid hempen and flaxen manufactures in the provinces of *Leinſter*, *Munſter*, and *Connaught*; and that the ſaid ſeveral ſums, ſo granted to the ſaid truſtees of the flaxen and hempen manufactures, be freed and diſcharged from the payment of ſix pence *per* pound and all other fees, which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general, of this kingdom, clerk of the pells, or any other officer or officers of this kingdom; the ſum of five hundred pounds to Agmondiſham Veſey eſquire, accomptant general, as a reward for his

Sums payable out of ſaid additional duties and aids.

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his expence and trouble in preparing and ſtating the public accounts of the nation, laid before the houſe of commons this ſeſſion of parliament; the ſum of three hundred pounds to Henry Gore eſquire as a reward for his expence and trouble in preparing and making out the account of the imports and exports for two years ended the twenty-fifth day of March one thouſand ſeven hundred and ſeventy three, purſuant to the order of the houſe of commons; the ſum of five hundred pounds to Edward Sterling and Henry Alcock, eſquires, clerks of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament; the ſum of two hundred pounds to Mr. Thomas Kirby, clerk aſſiſtant, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of eight hundred pounds to Dixie Coddington, eſquire, ſerjeant at arms, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of three hundred and fifty pounds to Benjamin Higgins and George Melvin, the clerks attending the committees of accounts and other committees of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of one hundred and twelve pounds to Abraham Bradley, for printing the publick accounts laid before the houſe of commons this ſeſſion of parliament; the ſum of fifty pounds to Hulton Bradley, as a reward for his trouble and attendance in delivering the votes to the members of the houſe of commons this ſeſſion of parliament; the ſum of one hundred pounds to James Mc Cowan and George Harper, door-keepers to the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of two hundred pounds to the right honourable the ſpeaker of the houſe of commons, to be by him divided amongſt the back-door-keepers and meſſengers attending the houſe of commons, being thirteen in number, in ſuch manner as he ſhall direct; the ſum of one thouſand pounds to Roger Palmer eſquire, in conſideration of his extraordinary attendance, care, and expence in the office of paymaſter of the corn premiums, during the two years ended Michaelmas one thouſand ſeven hundred and ſeventy three; the ſum of three hundred pounds to William Horton, examinator of the corn premiums, on account of the great increaſe of his trouble in examining and keeping accounts of ſaid premiums in the two years ended at lady day one thouſand ſeven hundred and ſeventy three; the ſum of two hundred pounds to Mr. John Witherall, chief clerk in the examinator's office, for his extraordinary trouble in making up the ſeveral accounts by him laid before the houſe of commons, and in attending the houſe of commons this ſeſſion of parliament; the ſum of ten thouſand pounds to the Incorporated Society for promoting Engliſh proteſtant ſchools in Ireland; the ſum of nine hundred and twelve pounds to George Winſtanley, eſquire, being the reſidue of the ſum of one thouſand ſix hundred and twelve pounds, awarded to him by a jury in January one thouſand ſeven hundred and ſixty five for his intereſt in certain ground and houſes ſituate at the north end of the Old Bridge, Dublin, in full ſatisfaction of all his demands for principal and intereſt; the ſum of one thouſand five hundred pounds to the lord mayor, ſheriffs, commons, and citizens of the city of Dublin, towards paying off the debts by them contracted in carrying on the ballaſt office wall; the ſum of three hundred and ſixty one pounds four ſhillings and nine pence to Mary Hay, executrix of the late David Hay, aſſignee of the late Boulter Grierſon, being the coſt of printing and binding nineteen ſets of the ſtatutes at large in nine volumes, delivered to nineteen members who had not before received them purſuant to the order of the houſe of commons; the ſum of one thouſand three hundred and eighty five pounds, twelve ſhillings and eight pence to Abraham Bradley, printer to the houſe of commons, the coſt of fourteen ſets of the journals of the houſe of commons in thirteen volumes, with the appendix and index, delivered by him to fourteen members who had not before received them, and for printing and binding five hundred copies of the fourteenth and fifteenth volumes of the ſaid journals purſuant to the order

order of the houſe of commons; the ſum of one thouſand pounds to the mayor and ſheriffs of the city of Cork and the other truſtees appointed by act of parliament for carrying on the improvement of Cork habour; the ſum of eight hundred pounds to the truſtees of the new circular road round the city of Dublin to enable them to compleat the ſaid road; the ſum of fifty pounds to Mr. Benjamin Higgins for his extraordinary trouble during his attendance on the committee of accounts; the ſum of one hundred pounds to Mr. Henry Smyth, deputy paymaſter of the corn premiums, for his trouble in preparing accounts by him laid before the houſe of commons; the ſum of one thouſand pounds to Luke Mercer, George Simpſon, Theophilus Thompſon, and David Burleigh eſquires, and captain William Barton, or any two of them, for the uſe of the Marine Nurſery, and to finiſh their building, to be accounted for to parliament; the ſum of two hundred and ſeventy nine pounds ſeventeen ſhillings and four pence to Mr. John Dempſey, to enable him to carry on the harbour by him begun at Loughſhinny in the county of Dublin; all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers, receiver general or receivers general of this kingdom, without any further or other warrant to be ſued for, had, or obtained in that behalf.

Sums appropriated to hemp and flax applied to no other purpoſe,

XVII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three the ſeveral ſums granted by this act, or any other act of parliament now in force in this kingdom, and appropriated to encourage the raiſing ſufficient quantities of flax and hemp in this kingdom, and for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and that a ſeparate and diſtinct account ſhall be kept by the proper officer of the application thereof, and to be laid before parliament.

ſeparate account thereof, and laid before parliament.

Tax on herrings to Dublin Society for north weſt fiſheries.

XVIII. And be it further enacted by the authority aforeſaid, that the tax of one ſhilling *per* barrel, hereby granted and impoſed on all herrings imported into this kingdom, be paid to the Dublin Society, to be by them applied to the encouragement of the fiſheries in the north weſt parts of this kingdom.

Drawback on herrings re-exported in nine months.

XIX. Provided always, in caſe any herrings ſo imported ſhall be re-exported within nine calendar months after ſuch importation, that the duties hereby impoſed, and paid on ſuch importation, ſhall be repaid to and drawn back by the exporter or exporters of the ſame.

Lace, cambrick, or lawn, imported, except *Britiſh*, forfeited, and treble value, the ſhip, &c.

XX. And be it further enacted by the authority aforeſaid, that no gold or ſilver lace, cambricks or lawns, whatſoever, (except of the manufacture of Great Britain) ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three be imported into this kingdom in any ſhip or veſſel whatſoever under the penalty of the forfeiture of all ſuch lace, cambricks, and lawns, and treble the value thereof, and of the ſhip or veſſel in which the ſame ſhall be imported, with all her guns, tackle, furniture, ammunition, and apparel; one moiety of which forfeitures ſhall be and remain to his Majeſty, his heirs and ſucceſſors, and the other moiety to him or them who ſhall ſeize and ſue for the ſame by action, bill, plaint, or information in the court of exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea ſhall be allowed.

to king and proſecutor.

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CHAP. II.

An act for granting unto his Majeſty the ſeveral duties, rates, impoſitions, and taxes, therein particularly expreſſed, to be applied to pay an intereſt at the rate of four per cent. per annum for ſuch part of the ſeveral principal ſums formerly borrowed, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and to apply the ſurplus of the ſaid duties in ſuch manner and for ſuch purpoſes, as ſhall be directed by parliament.

Recital 11 and 12 *G.* 3. *c.* 2.

WHEREAS by an act of parliament made and paſſed in the eleventh and twelfth years of your Majeſty's reign, intitled, *An act for granting to his Majeſty the ſeveral duties, rates, impoſitions, and taxes, therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed,* ſeveral aids and additional duties were granted to your Majeſty, your heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy one until the twenty-fifth day of December one thouſand ſeven hundred and ſeventy-three inclusive, to pay an intereſt for the ſeveral ſums in the ſaid recited act particularly mentioned, or ſo much thereof as ſhould remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, to the perſon or perſons who lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy one, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas it was enacted in and by the ſaid recited act, that for all and every ſuch further ſum and ſums of money, not exceeding in the whole the ſum of two hundred thouſand pounds, as ſhould be actually paid by any perſon or perſons into your Majeſty's treaſury at the inſtance of his excellency the lord lieutenant or other chief governor or governors of this kingdom for the time being, to ſupply ſuch deficiencies as ſhould or might ariſe in the aids granted in the ſaid ſeſſion of parliament for the ſeveral purpoſes in the ſaid act expreſſed, there ſhould be paid at the receipt of your Majeſty's exchequer, by the hands of the

additional duties thereby to 25 December 1773,

to pay 4 *per cent.* for ſeveral ſums or ſo much as unpaid 25 December 1771,

and for further loan not exceeding 200000l. intereſt not exceeding 4 *per cent.*

vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments, to the perſon or perſons paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, ſuch intereſt, not exceeding the rate of four pounds *per centum per annum*, as ſhould be agreed by his excellency the lord lieutenant, or other chief governor or governors of Ireland, for the time being, to be paid for the ſame without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas in purſuance of the ſaid recited act the ſum of one hundred thouſand pounds was paid into your Majeſty's treaſury on or before the twenty fifth day of December one thouſand ſeven hundred and ſeventy one, and a further ſum of one hundred thouſand pounds was paid into your Majeſty's treaſury on or before the twenty fifth day of March one thouſand ſeven hundred and ſeventy two, making together the ſum of two hundered thouſand pounds, to carry an intereſt at the rate of four pounds *per centum per annum* from the ſaid reſpective days of advancing the ſame, until the ſame ſhould be paid: and whereas the ſeveral aids and duties granted to your Majeſty in and by the ſaid recited act have not proved ſufficient to pay and diſcharge the ſaid ſeveral principal ſums and the intereſt of the ſame reſpectively, at the rate aforeſaid, but the greateſt part of the ſaid ſeveral principal ſums will remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy three; we therefore your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for ſo much of the ſaid ſeveral principal ſums ſo borrowed as aforeſaid, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, to the perſon or perſons who has or have paid or lent

in purſuance whereof 100000l. paid in by 25 December 1771,

and 100000l. by 25 March 1772, at 4 *per cent.*

duties by 11 and 12 *G.* 3. *c.* 2. inſufficient,

greateſt part of ſaid ſeveral ſums will be unpaid 25 December 1773,

for ſo much of the loan as unpaid 25 December 1773 intereſt at 4 *per cent.* half yearly without any deduction.

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lent the ſame, his, her, or their executors, adminiſtrators or aſſigns, intereſt at the rate of four pounds *per centum per annum*; to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

For payment thereof duties granted to 25 December 1775 above duties by 14 and 15, *C.* 2. *c.* 8 & 9. or by any other act, or this ſeſſion,

II. And to the end and intent that the intereſt of ſo much of the ſaid ſums formerly borrowed as aforeſaid, or of ſo much thereof as ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, may be duly and regularly paid half yearly at the rate of four pounds *per centum per annum* according to the true intent and meaning of this act; be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December, which ſhall be in this preſent year one thouſand ſeven hundred and ſeventy three, there ſhall be throughout his Majeſty's kingdom of Ireland raiſed, levied, granted, collected, and paid to his Majeſty, his heirs and ſucceſſors, until the twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of his Majeſty King Charles the ſecond, intitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, intitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money, unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland according to a book of rates hereunto annexed*, and over and above any other duties, rates, impoſitions, and taxes granted to his Majeſty by any other act of parliament heretofore enacted in this kingdom, and ſtill in force, and over and above any duties, rates, and impoſitions granted by any other act of parliament, or which ſhall or may be enacted during this preſent ſeſſion of parliament, the ſeveral duties, rates, impoſitions, and taxes hereinafter mentioned, that is to ſay, an additional duty of ſix pounds *per* tun for and upon all ſorts of wine of the growth of France or Spain, and of three pounds *per* tun for and upon all ſorts of wine of the growth of Portugal, and of five pounds *per* tun for and upon all other wines that ſhall be imported into this king-

additional duty 6*l.* per ton on wines of France or Spain,
3*l.* port,
5*l.* other wines,

dom

dom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three; and alſo an additional duty of four pounds ſterling *per* pound weight for and upon all velvets, or manufactures made of or mixed with ſilk (except thoſe of Great Britain, China, Perſia, and the Eaſt Indies,) that ſhall be imported into this kingdom from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three; an additional duty of one halfpenny *per* pound weight for and upon all hops that ſhall be imported into this kingdom from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three; an additional duty of five pounds *per centum* for and upon all china, earthen, japanned or lacquered ware, as valued or rated for cuſtom by the book of rates, that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three; an additional duty of three pounds *per* tun for and upon all ſorts of vinegar that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three; a further additional duty of two pence *per* gallon for and upon every gallon of *aquavitæ*, ſtrong waters, and ſpirits, that ſhall be made or diſtilled within this kingdom for ſale, to be paid by the firſt maker or diſtiller thereof, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three; a further additional duty of two pence *per* pound for and upon all coffee that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three; a duty of ten ſhillings *per annum* to be paid by all and every perſon or perſons that doth, do, or ſhall ſell or tap out by retail any cyder at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three and the twenty fifth day of December one thouſand ſeven hundred and ſeventy five inclusive; a duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, to be paid by the perſon who ſhall ſell or tap out the ſame by retail, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three; an additional duty of twenty ſhillings to be paid by every perſon for every coach, chariot, berlin, or calaſh, or chaiſe with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except hackney and ſtage coaches, and coaches and ſuch other four wheeled carriages as aforeſaid kept by coachmakers for ſale;) and alſo except cabriolets or

4l. per lb. velvets, or ſilks, ſave of Great Britain or the Eaſt;

hops ½d. per lb.

China, lacquered ware, &c. 5 *per cent.* as rated;

vinegar 3l. per ton;

aquavitæ, waters, ſpirits, diſtilled for ſale 2d. per gallon;

coffee 2d. per lb.

cyder retailers 10s. *per annum* and 1d. per gallon;

4 wheel carriages ſave hackneys, &c. 20s. yearly;

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garden chairs, at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three and the twenty fifth day of December one thouſand ſeven hundred and ſeventy four incluſive; an additional duty of twenty ſhillings to be paid by every perſon for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, (except as aforeſaid,) at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy four and the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive;

ſoapwaſte 20s. per ton,

an additional duty of twenty ſhillings *per* tun for and upon every tun of ſoapboilers waſte, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to any parts beyond the ſeas from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three;

linen rags 3l.

an additional duty of three pounds *per* tun for and upon every tun of linen rags, and ſo in proportion for a greater or leſſer quantity that ſhall be exported out of this kingdom to parts beyond the ſeas from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three.

To prevent running tea,

III. And whereas great frauds and abuſes have been committed by the clandeſtine importation of tea from parts beyond the ſeas without paying any duties for ſuch tea: for remedy whereof, and for the greater diſcouragement of the pernicious and illegal practice of unlawfully importing and clandeſtinely running and landing of tea, be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three until the twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive there ſhall be paid to his Majeſty, his heirs and ſucceſſors, the ſum

6d. per lb. green, 4d. bohea and other in lieu of all cuſtom and exciſe.

of ſix pence for every pound of green tea, and the ſum of four pence for every pound of black bohea and other tea, which ſhall be imported into this kingdom during the time aforeſaid, in lieu and full ſatisfaction of all duties of cuſtoms and exciſe.

Further additional duty from 25 December 1773 to 25 December 1775,

IV. And be it further enacted by the authority aforeſaid, that the further additional duty herein after mentioned ſhall be raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive; that is to ſay, a further additional duty of five pounds *per cent.* for and

5 *per cent.* on goods named (not Britiſh) as rated for cuſtom, or, if

upon the ſeveral goods and manufactures (not being of the growth and produce or manufacture of Great Britain) hereinafter named,

ed, as the ſame now ſtand rated for cuſtoms in the book of rates, or, if unrated, ſhall be valued on oath of the importer, which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame, *viz.* apparel, apples, bacon and hams, beads of glaſs, chocolate, cocoa nuts, coffee, cork, capers, cloves, currants, cheſnuts, wall-nuts, ſmall nuts, bugles, hulled barley, artificial flowers, millinary ware, pearl barley, fans, hats, chip and ſtraw, anchovies, ſturgeon, pins, wrought ivory, olives, onions, prints and pictures, mace, nutmegs, wrought incle, drugs (not being for dyers uſe) elephants teeth, furs, all lacquered, japanned, gilt, painted, brunzed, and enamelled ware, gloves of all ſorts, almonds, anniſeeds, cinnamon, liquoriſh, pepper, piamento, pruens, raiſins, rice, ſaffron, ſuccards, ſuccuſs liquoritie, needles, thimbles, outnal thread, ſiſters thread, China and earthen ware, whited brown thread, and all other threads, haberdaſhery, hardware, toys, mermits, iron pots, ſciſſars, ſnuff, tiles, ſhot, laces of cotton, thread, worſted, or ſilk, groceries of all kinds (except ſugars) oranges and lemons, lime, lemon, and orange juice, (not being for dyers) tape, foreign linens, and all manufactures of flax and hemp.

unrated, valued on importer's oath; above all other duties;

V. And be it further enacted by the authority aforeſaid, that if the ſaid wines and other merchandizes herein before mentioned, upon which the aforeſaid duties are hereby charged upon the importation thereof, ſhall be again exported by any merchant or merchants, who is or are ſubject or ſubjects of this realm, or any other his Majeſty's dominions, within twenty four calendar months, or by merchant ſtrangers within twelve calendar months after the importation thereof; and if due proofs ſhall be firſt made by certificate from the proper officers of the due entry and payment of the ſaid duties hereby granted; and if all other requiſites ſhall be performed, which are by law required to be performed in thoſe caſes where, the duties of exciſe are to be repaid, that then the ſaid duties hereby impoſed ſhall without any delay or reward be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame within one calendar month after demand thereof, or the ſecurity for the ſaid duties by this act charged ſhall be vacated as to ſo much, as ſhall be ſo exported, any thing herein contained to the contrary notwithſtanding.

Drawback; for ſubjects 24, ſtrangers 12 months, on certificate and requiſites.

VI. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three no perſon or perſons whatſoever ſhall ſell or tap out by retail any cyder within this kingdom,

Cyder not retailed without licence.

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dom, but only ſuch as ſhall be licenced according to the directions of this act, under ſuch penalty as hereinafter is expreſſed.

Licence by 3 commiſſioners and collectors,

VII. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's exciſe, or any three of them, and the collectors of his Majeſty's exciſe, in their ſeveral and reſpective diſtricts from time to time to iſſue and grant ſuch licences for the ſelling and tapping out cyder by retail; and that for every ſuch licence ſo to be granted the ſum

Fee 1s. 1d.

of one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee for the ſame; and if any perſon or perſons ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three ſell or tap out cyder by retail without ſuch licence as aforeſaid, every ſuch perſon ſo offending ſhall for every time, he or ſhe ſhall ſo offend, forfeit and pay the

Penalty, 5l.

ſum of five pounds.

Entry by day by exciſe officers to take account and charge 1d. per gallon.

VIII. And be it further enacted by the authority aforeſaid, that for the better ordering and collecting the ſaid duty of one penny per gallon for and upon all cyder that ſhall be ſold or tapped out by retail, it ſhall and may be lawful to and for the gauger or gaugers, and officers of exciſe, within their reſpective diſtricts from time to time from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three to enter in the day time into the houſes, outhouſes, ſtore-houſes and cellars of every retailer or retailers of cyder, and to take an account of all ſuch cyder as ſhall be found in the poſſeſſion of ſuch retailer or retailers, and to charge ſuch retailer or retailers with the ſaid duty of one penny per gallon accordingly.

Stock on hand declared on demand,

IX. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three every retailer of cyder ſhall ſhew to the gauger or officers of exciſe on demand all his or her ſtock of cyder then on hand; and in caſe any ſuch retailer or retailers of cyder, or his, her, or their ſervant or ſervants (in caſe ſuch retailer or retailers ſhall not be preſent, when the gauger or officers of exciſe ſhall come to ſuch retailer's houſe to take ſtock as aforeſaid) ſhall refuſe to make declaration, and ſhew all his or her ſtock of cyder then on hand, every ſuch retailer ſhall for every ſuch offence forfeit and loſe the ſum of ten pounds; and if ſuch gauger or officers of exciſe ſhall, after declaration made as aforeſaid, find any cyder in the poſſeſſion or cuſtody of ſuch retailer or retailers over and above the quantity ſo ſhewen and declared,

refuſal or falſe return, 10l.

declared, ſuch retailer ſhall likewiſe forfeit and loſe the ſum of ten pounds.

Certificate of coaches, &c. in 3 months to collector, with abode,

X. And be it further enacted by the authority aforeſaid, that for the better collecting the ſaid duty chargeable on every perſon who ſhall keep any carriages with four wheels, (except as before excepted) every perſon who from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, ſhall within three calendar months after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three or within three calendar months after he or ſhe ſhall have or keep any ſuch coach, chariot, berlin, calaſh or chaiſe with four wheels, by writing under his or her hand, certify to the collector of exciſe, in ſome one of the diſtricts where he or ſhe ſhall reſide or dwell, within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh and chaiſe with four wheels, which he or ſhe ſhall have or keep (except hackney or ſtage coaches, and coaches kept by coach makers for ſale) with the name of the place and pariſh of his or her reſidence or abode at the time of giving ſuch certificate, which ſaid certificate ſhall be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom for the time being, and ſhall be alſo entered or regiſtered in an alphabetical book to be by them reſpectively kept for that purpoſe, and a copy of ſuch entry ſigned by ſuch collector or his clerk, to be delivered if required, without fee or reward to the perſon delivering ſuch certificate, and a number ſhall be entered on each certificate ſo regiſtered; and that the ſaid collectors reſpectively ſhall under their hands on or before the twenty fifth day of December in every year give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels from time to time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode reſpectively mentioned in ſuch reſpective certificates, to the perſons who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties; and that ſuch perſons as ſhall be appointed by the ſaid commiſſioners of exciſe, or any three of them, to collect and receive the ſaid duties on coaches, chariots, berlins, calaſhes and chaiſes with four wheels, ſhall have full power and authority to levy, collect and receive the ſame within the diſtrict where the certificate ſhall be entered in the ſame manner as his Majeſty's revenue ariſing from fire hearths is now by law levied, collected and received, and ſhall reſpectively ſign and deliver acquittances without fee or reward

regiſtered alphabetically and numbered.

Liſts returned by 25 *Dec.* yearly to collector.

collectors to levy in the diſtrict, where certificate entered, as for hearth money,

acquittances without fee,

duplicates booked and returned,

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for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty of fire hearths, and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner, as books containing the duplicate of acquittances for the ſaid duty of fire hearths are returned; and that the duties aforeſaid ſhall be paid in the reſpective diſtricts, wherein the ſaid carriages ſhall be entered or regiſtered reſpectively, and in no other.

duty paid only where carriages regiſtered.

XI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh or chaiſe with four wheels, chargeable with the ſaid duty by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons ſo having or keeping ſuch coach, chariot, berlin, calaſh or chaiſe with four wheels not certified as aforeſaid, ſhall for ſuch neglect forfeit the ſum of twenty pounds, to be ſued for, recovered, levied and applied, in ſuch manner and form, and by ſuch ways and methods, as are preſcribed and appointed in and by an act of parliament made and paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, intitled, *an act for the ſettling of the exciſe or new impoſt, upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

Not certifying, penalty 20l. as by 14 & 15 C. 2. c. 8.

Poſſeſſor charged as owner.

XII. Provided nevertheleſs, that every perſon (except as before excepted) having in his or her keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels, belonging to another, ſhall be charged for every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid duty impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

Duty paid to collector of diſtrict,

XIII. And be it further enacted by the authority aforeſaid, that the perſon or perſons, who for the time being ſhall be authorized and impowered to collect and levy the ſaid duty on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duties ſhall be collected and raiſed; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into his Majeſty's treaſury as other money received by them for the uſe of his Majeſty.

ſeparate accounts kept, paid into treaſury.

Debentures for 100l. may be exchanged

XIV. And be it further enacted by the authority aforeſaid, that all and every perſon or perſons, to whom debentures or re-

ceipts of one hundred pounds each have been given for any part of the ſaid ſeveral principal ſums formerly borrowed as aforeſaid, which ſhall remain unpaid on the ſaid twenty fifth day of December in this preſent year one thouſand ſeven hundred and ſeventy three, now carrying intereſt at the rate of four pounds per centum per annum, his, her, or their executors, adminiſtrators or aſſigns, ſhall or may at his, her, or their election or choice receive in exchange for the ſame from the vice treaſurer or vice treaſurers, or paymaſter or receiver general, his or their deputy or deputies, either four debentures of twenty five pounds each, or two debentures of twenty five pounds each, and four of twelve pounds ten ſhillings each, as he, ſhe, or they ſhall think proper; ſuch debentures ſo given in exchange to be numbered in ſuch manner as the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, ſhall think fit, and to bear the ſame rate of intereſt, payable at the ſame time and times with the debenture or debentures ſo exchanged as aforeſaid, which are hereby required to be cancelled; and that all and every perſon or perſons intitled to any of the ſaid debentures of one hundred pounds each, or to any debenture of any leſſer ſum taken in exchange for ſuch debentures of one hundred pounds each, may by indorſements on ſuch debentures or receipts transfer the right and benefit of the ſums due on the ſaid debentures or receipts, which indorſements upon notice to the vice treaſurer or vice treaſurers, his or their deputy or deputies, and an entry or memorial thereof made in the ſaid vice treaſurer's office, which the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall upon requeſt without charge, fee, or reward, make accordingly, and ſhall on requeſt permit the ſame to be viewed at the uſual office hours without fee or reward, ſhall intitle the indorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid debentures or receipts may in like manner be aſſigned or transferred by ſuch indorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns, and ſo toties quoties; and that after ſuch aſſignment it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or to diſcharge or receive the ſum thereby transferred or aſſigned, or any part thereof.

for 4 of 25l. or 2 of 25l. and 4 of 12l. 10s. each,

transferable by indorſement as before.

XV. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional and other duties and rates hereby granted, other than ſuch as are otherwiſe

Said duties raiſed & paid as by 14 & 15 *C.* 2. c. 8. or other exciſe law,

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wiſe by this preſent act appointed, ſhall be raiſed, anſwered, collected and paid unto his Majeſty, his heirs and ſucceſſors, during the term aforeſaid, at the ſame time, and in like manner, and and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers as are appointed, directed, and expreſſed in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of king Charles the ſecond, entitled, *an act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; or by any other law now in force relative to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, ſpecified, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe is provided.

with like appeal.

4s. per £. on abſentees 6 months for ſalaries, employments, fees, or penſions,

XVI. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons who ſhall have upon the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, or who ſhall have at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three and the twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive, any ſalary, profits of employments, fees or penſions in this kingdom, ſhall pay unto his Majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings a year which he, ſhe, or they do or ſhall receive, or be entitled unto by reaſon of ſuch ſalaries, profits of employments, fees or penſions, over and above the charges and expences of executing the ſaid employments, unleſs ſuch perſon or perſons do, or ſhall live and actually reſide within this kingdom for and during the ſpace of ſix calendar months at leaſt in each of the ſaid years; which ſaid tax or duty of four ſhillings ſterling, payable on every twenty ſhillings a year as aforeſaid, ſhall be ſtopped and deducted yearly out of ſuch reſpective ſalaries, fees, and penſions, during the time and term aforeſaid, by the vice treaſurer or vice treaſurers, paymaſter or paymaſters, and receiver general of his Majeſty's revenue, or by ſuch perſon or perſons who is or are to pay the ſame; and which ſaid tax of four ſhillings in the pound, to be ſtopped and deducted as aforeſaid, by the perſon or perſons who is or are to pay the ſaid ſalaries, ſhall be by him or them paid to the vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to his Majeſty; and alſo that the ſaid tax of

ſtopped, paid to vice treaſurers, & accounted for,

four

four ſhillings in the pound to be ſtopped and deducted out of the ſaid ſalaries, profits of employments, fees, and penſions of any perſon or perſons ſo abſent as aforeſaid, ſhall be ſtopped by the reſpective deputy or deputies of ſuch perſon and perſons ſo abſent as aforeſaid, and paid by them to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to his Majeſty; and that ſuch deputy or deputies ſhall, within one calendar month after ſuch tax ſhall become due, give in upon oath an account before the lord chief baron or any of the barons of the exchequer, or any two juſtices of the peace, of the net profits of ſuch employment or employments, for which ſuch deputy or deputies is, are, or ſhall be accountable to their principals; which accounts ſuch perſon or perſons, to whom the ſame ſhall be given upon oath as aforeſaid, ſhall forthwith ſend to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies; and ſuch deputy or deputies of ſuch perſon or perſons ſo abſent as aforeſaid ſhall within one calendar month after ſuch account given in before the chief baron or any of the barons of the exchequer, or any two juſtices of the peace as aforeſaid, pay to the vice treaſurer or vice treaſurers, his or their deputy or deputies, the ſum due and payable to his Majeſty for and on account of the ſaid tax of four ſhillings in the pound, chargeable upon the net profits of ſuch employment or employments, office or offices; and in caſe ſuch deputy or deputies of the perſon or perſons ſo abſent as aforeſaid ſhall omit or neglect to give in upon oath ſuch account, or to pay the ſaid tax, within the reſpective times herein before for that purpoſe appointed, ſuch deputy or deputies neglecting or omitting the ſame from the time of ſuch omiſſion or neglect ſhall be incapable of exerciſing or holding ſuch deputation, and ſhall alſo forfeit the ſum of one hundred pounds ſterling, to be recovered by bill, plaint, or information in any of his Majeſty's courts of record at Dublin: one moiety thereof to the uſe of his Majeſty, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame, in which ſuit no eſſoign, protection, wager of law, or more than one imparlance ſhall be allowed.

deputies in 1 month to account on oath before a baron or 2 juſtices for net profits,

ſent to vice treaſurers,

on neglect diſabled and forfeit 100l. to King and proſecutor.

XVII. And be it further enacted by the authority aforeſaid, that the ſecretary or ſecretaries of the commiſſioners of his Majeſty's revenue, the agent and agents of the ſeveral regiments upon the eſtabliſhment of this kingdom, and the agent and agents of the ſeveral perſons who are intitled to receive any ſalaries, fees, or penſions upon his Majeſty's eſtabliſhment, ſhall reſpectively on or before the laſt day of February yearly deli-

Commiſſioners ſecretaries, and agents, to deliver on oath by laſt of February yearly liſts of abſentees,

ver in upon oath (which oath the ſaid lord chief baron, or any of the barons of his Majeſty's court of exchequer, or any two juſtices of the peace, are hereby required and impowered to adminiſter) to the beſt of their knowledge a liſt or account of ſuch of the officers of the revenue, and the officers of the ſaid regiments of the degree of a colonel (not having a regiment) and of the perſon or perſons who are intitled to receive any ſuch ſalaries, fees, or penſions, who ſhall have been abſent and out of this kingdom for ſix calendar months in the year ending the twenty fifth day of December next preceding; and in caſe ſuch ſecretary or ſecretaries, agent or agents, ſhall refuſe or neglect to deliver in ſuch liſts reſpectively, he or they ſhall be diſabled from holding and enjoying the ſaid office of ſecretary or ſecretaries, or from being agent or agents.

or diſabled.

Excepted, late King's deſcendants, C. governor or ſecretary, perſons exempt by ſign manual, officers on ſervice, colonels not having regiments, under a colonel, half pay, or widows.

XVIII. Provided always, and be it further enacted and declared by the authority aforeſaid, that this act ſhall not extend to charge the tax or duty of four ſhillings ſterling a year on every twenty ſhillings as aforeſaid upon the ſalary, penſion, fees, or profits of employments payable to any of the deſcendants of his Majeſty's royal grandfather, or to the lord lieutenant, or other chief governor or governors of this kingdom for the time being, or to his or their principal ſecretary, or to prince Ferdinand duke of Brunſwick, the duke and dutcheſs of Athol, Sir Edward Hawke, knight of the bath, or George Charles, eſquire, if his Majeſty ſhall think fit by his ſign manual to exempt the ſaid prince Ferdinand duke of Brunſwick, the duke and dutcheſs of Athol, ſir Edward Hawke, and George Charles, or any of them, from the payment of the ſame, nor ſhall the ſame extend to the officers of ſuch regiments, as now are or ſhall hereafter be commanded abroad on his Majeſty's ſervice, to colonels not having regiments, or to any officer under the degree of a colonel, to the halfpay officers on the eſtabliſhment of this kingdom, or the widows of officers.

No fee on payments under this act.

XIX. And be it further enacted by the authority aforeſaid, that neither the ſix pence *per* pound nor any other fee ſhall be payable to or be deducted or received by the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by or which ſhall be received for or on account of the aids hereby granted to his Majeſty, or of any payment to be made in purſuance of this act.

roooool. of tea duty to linen manufacture,

XX. And be it further enacted by the authority aforeſaid, that ſo much of the yearly produce of the ſaid duties ariſing

upon teas, as ſhall amount to the ſum of ten thouſand pounds yearly, ſhall in the firſt place be paid to the truſtees of the hempen and linen manufactures in this kingdom; and that ſo much of the reſidue of the ſaid duties upon teas, as ſhall amount to the ſum of ſeven thouſand three hundred pounds yearly, ſhall be placed to the account of his Majeſty's hereditary revenue; and that the reſidue or ſurplus of the produce of ſuch duties, together with the ſeveral other duties and aids hereby granted unto his Majeſty, ſhall in the firſt place be applied and paid by the vice treaſurer or vice treaſurers, his or their deputy or deputies, to pay the intereſt for ſo much of the ſaid ſeveral principal ſums formerly borrowed as aforeſaid, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy three; and that the ſurplus of the ſaid duties be applied in ſuch manner and for ſuch purpoſes, as ſhall be directed by parliament.

7300l to hereditary revenue,

ſurplus with other duties to intereſt of loan due 25th Dec. 1773,

ſurplus applied as by parliament directed.

XXI. And be it further enacted by the authority aforeſaid, that ſo much of the ſaid ſeveral principal ſums formerly borrowed as aforeſaid, as ſhall remain due and unpaid on the ſaid twenty fifth day of December, which ſhall be in the year of our lord one thouſand ſeven hundred and ſeventy five, ſhall be well and truly ſatisfied and paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators, and aſſigns, to whom the ſame ſhall be then due, together with ſuch intereſt for the ſame as ſhall be then due at the rate aforeſaid, without any deduction, defalcation, or abatement whatſoever.

Principal due 25th Dec. 1775 paid to creditors with ſaid intereſt without any deduction.

XXII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties, and taxes granted by this act or any other act of parliament now in force in this kingdom, and appropriated to particular uſes; and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general; and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury, which ſaid receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby to give accordingly.

Separate accounts of duties appropriated,

weekly abſtracts to accountant general.

ſeparate accounts returned to vice treaſurers,

ſeparate receipts given to collectors.

CHAP.

A. D. 1773-4.

CHAP. III.

An act for granting to his Majeſty an additional duty upon the ſeveral goods and merchandizes therein mentioned.

As a further ſupply for expences of government,

WE your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, as a further ſupply to your Majeſty to ſupport the expences of your Majeſty's government do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy three until the twenty fifth day of December one thouſand ſeven hundred and ſeventy five incluſive there ſhall be raiſed, levied, collected, and paid, the ſeveral rates and additional duties herein after mentioned, (that is to ſay) for and upon all chintzes, callicoes, and muſlins of the manufacture of China, Perſia, and the Eaſt Indies, imported into this kingdom during the time aforeſaid, the ſum of ſix pence *per* yard.

from 25 December 1773 to 25 December 1775 additional duties,

on chintzes, callicoes, and muſlins of the Eaſt, 6d. per yard.

II. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid unto your Majeſty, your heirs and ſucceſſors, during the term aforeſaid at the ſame time, in the like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed in and by an act made in this kingdom in the fourteenth and fifteenth years of the reign of his late Majeſty King Charles the ſecond, intitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe, is provided.

Raiſed and paid as by 14 & 15 *C.* 2. *c.* 8. or other exciſe law,

with like appeal,

CHAP.

A. D. 1773-4.

CHAP. IV.

An act to repeal an act, intitled, an act for the more effectual puniſhing wicked and diſorderly perſons, who have committed or ſhall commit violences, and do injuries to the perſons or properties of any of his Majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them, or who ſhall deliver or publiſh threatening letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties, or any of them, and for the more effectual bringing to juſtice certain offenders therein mentioned.

WHEREAS an act of parliament paſſed in the eleventh year of his preſent Majeſty's reign, intitled, *an act for the more effectual puniſhing wicked and diſorderly perſons, who have committed or ſhall commit violences, and do injuries to the perſons or properties of any of his Majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them, or who ſhall deliver or publiſh threatening letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties, or any of them, and for the more effectual bringing to juſtice certain offenders therein mentioned,* has been found to be no longer neceſſary: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the aforeſaid act, and every clauſe thereof, be henceforth repealed, and made null and void.

11 & 12 G. 3. c. 5. repealed.

CHAP. V.

An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds.

WE your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in parliament aſſembled, being highly ſenſible of the ineſtimable bleſſings we enjoy under your Majeſty's mild and auſpicious reign, and deſirous to the utmoſt of our power to ſupport your Majeſty's government with honour, do moſt humbly beſeech your Majeſty, that as a further ſupply to your Majeſty a ſum not exceeding two hundred and ſixty five thouſand

Amended c. 7.

As a further ſupply,

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for 265000l. ſubſcribed and paid into treaſury, annuities of 6 per cent. granted for lives of nominees by ſubſcribers, with additional intereſt by ſurvivorſhip, payable by vice-treaſurers, &c. *or appointees in London by c. 7.*

thouſand pounds ſhall be raiſed by granting life annuities or intereſt at the rate of ſix pounds *per annum* with benefit of ſurvivorſhip: and for that purpoſe be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons, your Majeſty's natural born ſubjects or foreigners, ſhall within the ſeveral times and in manner herein after particularly mentioned pay into his Majeſty's treaſury in Ireland any ſum or ſums of money, not exceeding in the whole the ſaid ſum of two hundred and ſixty five thouſand pounds, to be ſubſcribed by them in ſums of one hundred pounds each, there ſhall be paid to ſuch perſon or perſons ſo paying and advancing the ſame reſpectively, their executors, adminiſtrators, or aſſigns, or to the perſon or perſons legally authorized by them to receive the ſame, by the hands of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, annuities of ſix pounds *per annum* for each and every hundred pounds ſo ſubſcribed and paid for and during the lives of the perſons to be nominated by the perſons ſubſcribing and paying the ſaid ſum and ſums reſpectively, together with ſuch additional intereſt as ſhall accrue by ſurvivorſhip in manner herein after provided; and that the ſaid annuities ſhall commence from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and ſhall be paid half yearly in equal portions on every twenty fourth day of June and twenty fifth day of December in every year.

to commence 25 Dec. 1773, paid half-yearly.

20l. per cent. of ſubſcription to be paid 1ſt March 1774, *enlarged c. 7. ſ. 6.* 40l. 1ſt June, 1774, and 40l. 24 July 1774,

II. And be it enacted by the authority aforeſaid, that a ſum of twenty pounds, part of each one hundred pounds, ſo to be ſubſcribed, ſhall be paid into the ſaid treaſury on or before the firſt day of March in the year one thouſand ſeven hundred and ſeventy four; and that a further ſum of forty pounds *per cent.* thereof be paid on or before the firſt day of June in the year one thouſand ſeven hundred and ſeventy four; and that the remaining ſum of forty pounds *per cent.* to compleat the payment of every ſuch ſubſcription of one hundred pounds be paid on or before the twenty fourth day of July in the year one thouſand ſeven hundred and ſeventy four; at or before which laſt mentioned time all and every perſon and perſons having compleated the payment of the ſum or ſums by him, her, or them ſubſcribed reſpectively, ſhall name ſuch perſon or perſons, as he, ſhe, or they ſhall think proper, to be the perſon or perſons, for and during whoſe life or lives the ſaid annuity or annuities with the ſaid benefit of ſurvivorſhip ſhall be reſpectively paid;

on compleating the ſubſcription the lives named,

and

and that every ſubſcriber may ſubſcribe and pay as many ſums of one hundred pounds each, as he or ſhe ſhall think fit; and that all and every perſon and perſons ſubſcribing and paying as aforeſaid may name to the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies for the time being, one or more life or lives, at his, her, or their diſcretion, for the ſum or ſums by him, her, or them ſubſcribed and paid, ſo as no more lives than one be named for each diſtinct ſum of one hundred pounds ſo ſubſcribed and paid; and every perſon ſo ſubſcribing and paying, or their executors, adminiſtrators, or aſſigns, ſhall receive ſuch annuity or intereſt as aforeſaid, together with ſuch benefit of ſurvivorſhip as is hereinafter provided, for every hundred pounds ſubſcribed and paid as aforeſaid, during the life ſo named for every ſuch ſum of one hundred pounds reſpectively; and that every ſuch ſubſcriber may name one and the ſame life for ſo many of ſuch ſeveral and diſtinct ſums of one hundred pounds each, ſo ſubſcribed and paid, as ſuch ſubſcriber ſhall think fit; and that the ſeveral nominees in the ſaid life annuities ſhall be divided by the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy and deputies, into three ſeparate claſſes; the firſt claſs to conſiſt of perſons of the age of forty years and upwards; the ſecond claſs to conſiſt of perſons of the age of twenty years and upwards, but under forty; and the third claſs to conſiſt of perſons under the age of twenty years; and that the intire intereſt of the intire ſum ſo to be advanced by perſons ſubſcribing in any of the ſaid claſſes, computing ſuch intereſt at the rate of ſix pounds by the hundred by the year, ſhall go to and be divided among the perſons ſo ſubſcribing in proportion to the ſums by them reſpectively ſubſcribed and paid, as the nominees in ſuch claſs ſhall die, until by benefit of ſurvivorſhip the annuity payable to each ſubſcriber ſhall amount to a ſum equal to but never to exceed the intire principal ſum originally advanced and paid by each ſubſcriber; and that the remainder of the ſaid intereſt from time to time, as it ſhall accrue, ſhall be applied to the credit of the nation; and that in order to avoid fractional diviſions, and the expence and difficulty of keeping long and intricate accounts, no diſtribution of any ſum or ſums, ſo accruing by ſurvivorſhip in any of the ſaid claſſes, ſhall be made to the ſubſcribers in any ſuch claſs, until ſuch ſum or ſums ſo accrued by the fall of lives in ſuch claſs, ſhall be ſufficient to pay an additional intereſt of one half *per cent.* to the ſeveral perſons, who ſhall be then intitled to receive the ſame; and that every ſubſcriber, who ſhall not compleat his ſubſcription within the times

may ſubſcribe for as many 100l. as they think fit,

name one or more lives, ſo as one only for each 100l.

ſuch annuities with benefit of ſurvivor paid during nominee's life for each 100l.

may name the ſame life for ſeveral 100l.

Nominees divided in 3 claſſes,

1ſt 40 years and upward,

2d 20,

3d under 20,

divided in proportion to ſubſcription as nominees in each claſs die,

till by ſurvivor each annuity equal but never to exceed principal advanced,

remainder to credit of the nation,

no diſtribution in any claſs till ſufficient to pay additional half per cent. to thoſe then intitled,

ſubſcriptions not compleated forfeited,

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times and in the manner aforeſaid, ſhall forfeit the ſum or ſums by ſuch ſubſcriber advanced, and the ſame ſhall be applied to the credit of the nation; and that if any ſubſcriber or ſubſcribers ſhall die, before he, ſhe, or they ſhall have compleated the payment of the ſum or ſums ſo ſubſcribed by him, her, or them reſpectively as aforeſaid, the executors, adminiſtrators, or aſſigns of ſuch ſubſcriber or ſubſcribers may compleat the payment within the time aforeſaid.

to national credit, Executors &c. of thoſe dying before, may compleat payment.

Books kept at treaſury,

III. And be it further enacted by the authority aforeſaid, that in the office of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, there be provided and kept one or more book or books, in which ſhall be fairly entered the names of all, who ſhall be ſubſcribers, and of all perſons by whoſe hands the ſaid ſubſcribers ſhall pay in any of the ſaid ſums, and alſo of the ſeveral ſums ſo paid, and the time when the ſame are reſpectively paid; the ſaid entry to be made upon payment of the ſaid ſums; and alſo in the ſaid books there ſhall be entered the ſeveral nominees, and the ages of ſuch nominees, for whoſe lives reſpectively the ſaid annuities ſhall be payable, at the times when the ſame ſhall be nominated as aforeſaid; to which books it ſhall be lawful for the reſpective ſubſcribers, their executors, adminiſtrators and aſſigns from time to time at all ſeaſonable hours to have reſort and to inſpect the ſame without fee or reward; and as well the ſaid ſeveral ſubſcribers as the ſaid nominees ſhall be deſcribed in the ſaid books by their names and ſurnames, additions, places of abode, and other deſcriptions which ſhall beſt aſcertain the perſons; and every ſubſcriber upon compleating the payment of the ſum of one or more hundred pounds as aforeſaid ſhall immediately receive from the officer and officers of his Majeſty's treaſury one or more debenture or debentures, in which ſhall be mentioned and expreſſed the names and ſurnames, additions, places of abode, ages, and other deſcriptions of the nominee or nominees, and alſo the receipt of the conſideration money, for which the ſubſcriber ſhall receive one or more annuity or annuities with ſuch benefit of ſurvivorſhip as aforeſaid, during the life or lives of ſuch nominee or nominees, whether ſuch nominee be the ſubſcriber or any other perſon.

ſubſcribers names entered, ſums paid, by whom, and when, at time of payment, and nominees and their ages,

reſorted to without fee,

deſcribed as beſt to aſcertain perſons, debentures received on compleating payment, with nominees deſcription, and a receipt for the money, annuity whether nominee ſubſcriber or any other.

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any ſubſcriber or ſubſcribers, his, her, or their executors, adminiſtrators or aſſigns, at any time during the life or lives of his, her, or their reſpective nominee or nominees by any writing under hand and ſeal, or by his, her,

Shares aſſignable by deed or will,

or their laſt will in writing, to aſſign or deviſe any one or more ſuch ſhare or ſhares as aforeſaid, payable during the life or lives of ſuch nominee or nominees reſpectively, as the caſe may be, to any perſon or perſons, and ſo toties quoties; and no ſuch aſſignments to be revokeable, ſo as an entry or memorandum of ſuch aſſignment or will be made in books to be kept for that purpoſe in the office aforeſaid within the ſpace of two months after ſuch aſſignment or death of the deviſor; and that upon producing ſuch aſſignment or the probate of ſuch will in the office aforeſaid to be entered as aforeſaid, the party ſo producing ſuch aſſignment ſhall bring therewith an affidavit taken before ſome perſon authorized to take affidavits in cauſes depending in any of the courts at the city of Dublin, or, in caſe the party aſſigning ſhall not reſide in Ireland, before any perſon duly authorized to take the oath of the party, of the due execution of the ſaid aſſignment, which affidavits ſhall be ſeverally filed in the ſaid office; which ſaid entry or memorandum the ſaid officers of your Majeſty's treaſury are hereby required to make accordingly, and to file the ſaid affidavits; and in default of ſuch aſſignment or deviſe by deed or will the intereſt of ſuch ſubſcriber ſhall go to his executors and adminiſtrators for the life of ſuch nominee or nominees, as the caſe may be.

toties quoties.

not revokeable,

entered in 2 months after aſſignment or death,

affidavit of due execution before perſons authorized produced therewith & filed,

in default of aſſignment or deviſe, to executors & adminiſtrators.

V. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any guardian or truſtee, having the diſpoſal of the money of any infant under the age of twelve years for the uſe and benefit of ſuch infant, to advance and pay with the approbation of the lord chancellor, lord keeper, or keepers of the great ſeal for the time being for the purpoſes aforeſaid, the ſum of one or more hundred pounds of the money of ſuch infant, and thereupon at ſuch time and in ſuch manner, as is herein before appointed for the naming of lives, to name the ſaid infant to be a nominee; and ſuch infant upon payment of the ſaid ſum or ſums ſhall become a ſubſcriber within the meaning of this act, and be intitled to have and receive during his or her life an annuity with benefit of ſurvivorſhip in ſuch manner and proportion as any other ſubſcriber; and the ſaid guardian or truſtee, as to the ſaid ſum or ſums ſo advanced, is hereby diſcharged, and ſhall be accountable only to the ſaid infant for ſuch annuity or annual intereſt, as he ſhall receive under this act.

Guardian or truſtee of infant under 12 may with chancellor's approbation pay, and name ſuch infant, who ſhall be a ſubſcriber,

truſt diſcharged as to ſo much,

accountable only for the annuity received.

VI. And to the intent and purpoſe that all deceits in receiving any annuity or annuities as aforeſaid may be prevented, and that the full advantage of ſurvivorſhip may be had, be it enacted

by the authority aforeſaid, that all and every ſubſcriber and ſubſcribers, his, her, or their executors, adminiſtrators, or aſſigns, upon their demanding any half yearly payment of his, her, or their reſpective annuities, unleſs the nominee appear in perſon at the time of demanding ſuch annuity, ſhall, whenever the vice treaſurer or vice treaſurers, or paymaſter general, his or their deputy or deputies ſhall think proper to demand the ſame, produce a certificate of the life of his, her, or their reſpective nominee, ſigned by the miniſter or in his abſence by the curate of the pariſh, where ſuch nominee ſhall be then living, upon the day when the ſaid half yearly payment ſhall become due, if ſuch nominee ſhall be then reſiding in the kingdom of Ireland; which certificate the ſaid miniſter or curate is hereby required to make without fee or reward; and the ſaid certificate ſhall be filed in the ſaid office of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, who are hereby authorized and required, whenever he or they ſhall find it neceſſary, to examine upon oath (which oath he or they are hereby empowered to adminiſter) any perſon entitled to an annuity, or any other perſon whatſoever, touching the exiſtence of any nominee or nominees.

certificate of nominee's life (unleſs in perſon) produced if demanded, ſigned by the miniſter or curate where living, filed,

examination on oath of nominee's exiſtence.

VII. And be it further enacted by the authority aforeſaid, that in caſe any nominee ſhall at the time of ſuch demand be reſident beyond the ſeas, and any one or more of the barons of the exchequer for the time being ſhall certify, that upon proof to him or them made (which proof he and they is and are hereby authorized and required to take in a ſummary way) it doth ſeem probable to him or them, that the ſaid nominee is living, which certificate is to be given and examination made without any fee or charge, the ſaid certificate being filed as aforeſaid, ſhall be a ſufficient warrant for payment of the ſaid annuity or annuities half yearly to the reſpective ſubſcribers, their executors, adminiſtrators or aſſigns.

If nominee beyond ſea, a baron's certificate, that on proof ſummarily taken it ſeems probable he is living, warrant for payment.

VIII. And be it further enacted by the authority aforeſaid, that in caſe any perſon, who by the intent of this act ſhall be entitled to receive any annuity or annuities as aforeſaid, ſhall neglect to demand the ſame in manner aforeſaid for the ſpace of three years, he or ſhe ſhall for ever loſe and forfeit the ſame, as if his or her reſpective nominee had been dead at the commencement of the ſaid three years.

On 3 year's neglect to demand, forfeited.

IX. And to the intent that it may appear upon every half-yearly payment unto and amongſt what perſons, and in what proportions, the ſaid annuities are to be diſtributed, be it enacted by

Half year accounts of nominees deaths and ſubſcribers defaults

by the authority aforeſaid, that in the ſaid office every half year within twenty days before the reſpective days of payment there ſhall be made up an account of the ſeveral nominees, whoſe deaths are come to knowledge, and of the ſeveral ſubſcribers who have made default in making demand as aforeſaid.

within 20 days before payment.

X. And be it enacted by the authority aforeſaid, that if any perſons ſhall demand payment of any ſum for any life not in being, knowing the ſame to be expired, the perſon ſo making ſaid demand ſhall upon proof thereof forfeit treble the ſum ſo demanded to any of the remaining ſubſcribers in the ſame claſs, who will ſue for the ſame, to be recovered by action of debt, bill, plaint or information in any of his Majeſty's courts of record at Dublin, in which no eſſoign, protection, wager of law, or any more than one imparlance ſhall be allowed; and that in every ſuit for recovery of the ſaid ſum the proof of the exiſtence of ſuch life at the time of ſuch demand ſhall lye upon the perſon ſo demanding as aforeſaid.

On demand knowing life expired, treble to ſubſcribers in ſame claſs ſuing,

proof of exiſtence on the party demanding.

XI. And be it further enacted by the authority aforeſaid, that if any perſon ſhall receive one or more half yearly payment or payments of the ſaid annuity or annuities after the death of any nominee or nominees, for whoſe life or lives ſuch annuity or annuities was or were payable, it ſhall be lawful for any ſubſcriber in the claſs, in which ſuch nominee was named, to require the ſame to be repaid into the office of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, for the benefit of the ſubſcribers in ſuch claſs; and in caſe of refuſal or neglect to pay in the ſame within one month after ſuch demand ſuch perſon ſo refuſing or neglecting ſhall forfeit treble the ſum ſo received, to be recovered by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at the city of Dublin in the name of ſuch ſubſcriber who ſhall make the demand as aforeſaid, in which action no eſſoign, protection privilege, or wager of law, or more than one imparlance ſhall be allowed; and upon the trial of the ſaid action the proof, that the nominee or nominees were living at the time ſuch payment or payments, ſo required to be repaid, became due and payable as aforeſaid, ſhall lye on the ſubſcriber or perſon, to whom or for whoſe benefit the ſaid annuity was ſo paid.

Payment after nominee's death repaid for ſubſcribers in the claſs,

treble on neglect 1 month on ſuit by ſubſcriber,

proof of exiſtence on the party.

XII. And be it further enacted by the authority aforeſaid, that all and every ſubſcriber and ſubſcribers, his, her, or their executors, adminiſtrators, and aſſigns, within one month next after notice of the death of his, her, or their reſpective nominee or nominees ſhall certify ſuch death to the vice treaſurer or vice treaſurers, paymaſter or receiver

Nominee's death certified in a month after notice,

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receiver general, his or their deputy or deputies for the time being, and ſhall alſo within three months after ſuch notice deliver or cauſe to be delivered up to the ſaid vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, his, her, or their debenture, by which he, ſhe, or they was or were entitled during the life or lives of ſuch nominee or nominees to receive any annuity or annuities as aforeſaid, in caſe ſuch debenture be in his, her, or their hands or power; and in default thereof ſuch ſubſcriber or ſubſcribers, his, her, and their executors, adminiſtrators, and aſſigns, ſhall forfeit the ſum of twenty pounds, to be recovered by action of debt, bill, plaint, or information in manner as aforeſaid, and to be paid and received to the uſe of any perſon who ſhall ſue for the ſame.

and in 3 months debentures delivered up, if in ſubſcriber's power.

penalty 20l. to proſecutor.

XIII. And be it further enacted by the authority aforeſaid for the better encouraging perſons to advance the ſaid ſum, not exceeding the ſaid ſum of two hundred and ſixty five thouſand pounds, upon the terms aforeſaid, that all receipts and iſſues, and all other things directed by this act to be performed in the office of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, ſhall be done and performed by the officers there without demanding or receiving directly or indirectly any fee, gratuity, or reward for the ſame.

No fee or reward at treaſury.

XIV. Provided always, and be it enacted by the authority aforeſaid, that in caſe the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, ſhall make payment of any annuity or annuities as aforeſaid, upon ſuch certificate, as is before directed, ſuch officer ſhall not incur any penalty, forfeiture, or diſability, or be liable to any action of the ſubſcribers for doing thereof, though the ſaid certificate be forged or falſe, or the ſaid nominee be dead, unleſs the ſaid officer did know at the time of ſuch payment, that the ſaid nominee was dead, or that the ſaid certificate was forged or falſe.

No penalty on officer paying on forged or falſe certificate, or nominee being dead, unleſs knowing it.

XV. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons reſiding in the kingdom of Ireland, who ſhall ſubſcribe one or more hundred pounds towards raiſing the ſaid ſum, not exceeding the ſum of two hundred and ſixty five thouſand pounds, ſhall at or before the time of nominating the life or lives, during which he, ſhe, or they ſhall be intitled to receive ſuch annual intereſt with benefit of ſurvivorſhip as aforeſaid, make oath (or being a quaker, ſolemn affirmation) before ſome juſtice of the peace of the county, or county of the city, or county of the town, where ſuch perſon or perſons ſo nominated ſhall reſide, to the following effect:

Oath or affirmation by ſubſcriber at or before nominating before a juſtice where nominee reſides.

I A. B.

I A. B. do ſwear, that to the beſt of my belief C. D. of the pariſh of in the county of or county of the city or county of the town of (as the caſe ſhall be) ſon or daughter of now living, or lately living in the pariſh of in the county of or county of the city or county of the town of the perſon nominated by me for whoſe life I have ſubſcribed the ſum of one hundred pounds (or any greater ſum as the caſe ſhall be) is under the age of twenty years, or is of the age of twenty and under the age of forty years, or is of the age of forty years and upwards (as the caſe ſhall be) :

oath as to perſon,

abode;

and age;

And if any ſubſcriber ſhall nominate his or her own life, ſuch ſubſcriber ſhall make oath or ſolemn affirmation before any juſtice of the peace of the county, or county of the city, or county of the town, where ſuch ſubſcriber ſhall reſide, to the effect aforeſaid, concerning his or her age reſpectively; which oath or affirmation, atteſted by two or more credible witneſſes, ſhall be delivered to the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, for the time being, to be by him or them filed in the office of the ſaid vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, before any debenture or debentures ſhall be iſſued to ſuch ſubſcriber or ſubſcribers; and if any ſuch ſubſcriber or ſubſcribers ſhall not be reſident within this kingdom, an affidavit to the like effect, to be made before the principal magiſtrate or magiſtrates of the place where the perſons ſo making the ſame reſide, and to be atteſted by two or more credible witneſſes, ſhall be delivered to the ſaid vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies for the time being, to be by him or them filed in the ſaid vice treaſurer or vice treaſurers office, before any debenture or debentures ſhall be iſſued to ſuch ſubſcriber or ſubſcribers.

oath where ſubſcriber nominates his own life,

as to his age,

oath atteſted by 2,

filed in office before debentures iſſued,

like affidavit before the principal magiſtrate, where ſubſcriber reſident abroad.

XVI. And be it further enacted by the authority aforeſaid, that the ſurplus or exceedings of the aids and duties granted to your Majeſty by an act paſſed in this ſeſſion, entitled, *An act for granting unto his Majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to pay an intereſt at the rate of four* per cent. per annum, *for ſuch part of the ſaid ſeveral principal ſums formerly borrowed as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and to apply the ſurplus of the ſaid duties in ſuch manner and for ſuch purpoſes as ſhall be directed by parliament*, over and above what

Surplus duties by 13 & 14 *G.* 3. c. 2. applied to ſaid annuities,

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shall be sufficient to discharge the interest therein mentioned and provided for, or so much of such surplus or exceedings, as shall be for that purpose necessary, shall be applied towards the payment of the several annuities to be granted to the several subscribers, who shall advance the said sum not exceeding the sum of two hundred and sixty five thousand pounds, or any part thereof as aforesaid; and out of the residue a sum of five thousand pounds yearly shall be paid by half yearly payments to the Dublin Society for the encouragement of trade, agriculture, and manufactures in this kingdom, and the remaining surplus, if any, to be at the disposal of parliament.

5000l. of residue half yearly to *Dublin* society, remainder at disposal of parliament.

XVII. And be it further enacted by the authority aforesaid, that neither the six pence *per* pound, nor any other fee, shall be payable to or be deducted or received by the vice treasurer or vice treasurers, receiver or paymaster general, clerk of the pells, or any other officer or officers of this kingdom for or on account of the said sum of two hundred and sixty five thousand pounds, to be raised by life annuities with benefit of survivorship as aforesaid, or for or on account of the payment of any of the said annuities; but that all such fees, as shall arise upon the issuing of the said sum of two hundred and sixty five thousand pounds, or any part thereof, or upon any payment to be made thereout, shall be duly accounted for and paid to his Majesty, his heirs and successors.

Fees on said 265000l. and payment of annuities accounted for.

CHAP. VI.

An act for granting to his Majesty, his heirs and successors, several duties upon vellum, parchment, and paper.

15 & 16 G. 3. c. 9.—17 & 18 G. 3. c. 3,—19 & 20. G. 3. c. 3. & 8.

WE your Majesty's most dutiful and loyal subjects the commons of Ireland in parliament assembled, being desirous to raise such aids and supplies as may be sufficient to support with honour and dignity your Majesty's government, do humbly present your majesty with the free gift of the rates and duties herein after mentioned, and do beseech your Majesty, that it may be enacted, and be it enacted, by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fifth day of March, which shall be in the year of our Lord one thousand seven hundred and seventy four, there shall be throughout the kingdom of Ireland raised, collected, and paid unto his Majesty, his heirs and successors, from the twenty fifth day of March aforesaid 'till the twenty fifth day of December, which shall be in the year one thousand seven hundred and seventy five inclusive, for the several and respective matters and things hereinafter mentioned, which shall be written or engrossed at any time or times from the said twenty fifth day of March one thousand seven hundred and seventy four to the twenty fifth day of December one thousand seven hundred and seventy five inclusive, the several

Free gift of rates and duties following,

from 25 March 1774 to 25 December 1775,

and reſpective rates, impoſitions, duties, charges, and ſums of money herein after expreſſed, in manner and form following, (that is to ſay) for every ſkin or piece of vellum or parchment, on which any grants or letters patent under the great ſeal of Ireland of any honour, dignity, promotion, franchiſe, liberty, or privilege to any perſon or perſons, bodies politick or corporate, or exemplifications of the ſame, ſhall be engroſſed or written (commiſſions of rebellion in proceſs always excepted) the ſum of three pounds; for every ſkin or piece of vellum or parchment, or ſheet of paper, on which any pardon (except the pardon paſſed in *forma pauperis*) of or for any crime or offence, or of any ſum of money or forfeiture whatſoever, or on which any warrant of reprieve, relaxation from any fines, corporal puniſhment, or other forfeiture, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin of vellum or parchment, or ſheet of paper, upon which any grant from his Majeſty, his heirs or ſucceſſors, of any ſum of money exceeding one hundred pounds, which ſhall paſs the great ſeal of Ireland, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin of vellum or parchment, or for every ſheet of paper, upon which any grant of any office or employment, which ſhall be above the value of fifty pounds *per annum*, ſhall be written or engroſſed, the ſum of three pounds; for every ſkin of vellum or parchment, on which any grant of lands in fee, leaſe for years, or other grant or profit not herein particularly charged, that ſhall paſs the great ſeal of Ireland or the ſeal of the exchequer (*cuſtodiam* leaſes excepted) ſhall be engroſſed or written, the ſum of two pounds; for every ſkin or piece of vellum or parchment, or ſheet of paper, upon which any preſentation or donation, which ſhall paſs the great ſeal of Ireland, or upon which any collation to be made by any archbiſhop or biſhop, or any preſentation or donation to be made by any patron whatſoever, of or to any benefice, dignity, or ſpiritual or eccleſiaſtical promotion whatſoever, of the value of one hundred pounds a year or upwards, ſhall be engroſſed or written, the ſum of two pounds, the value to be aſcertained by the certificate of the archbiſhop or biſhop, or vicar general of the dioceſes; provided always, that two or more benefices epiſcopally united ſhall be deemed and taken to be one benefice only; for every ſkin or piece of vellum or parchment or ſheet of paper, on which any diſpenſation to hold two eccleſiaſtical dignities or benefices, or both a dignity and a benefice, or any other diſpenſation or faculty from the lord archbiſhop of Armagh or maſter of the faculties for the time being, ſhall be engroſſed or written, the ſum of ſix pounds; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any admittance of any fellow of the college of phyſicians or of any attorney, clerk, advocate, proctor, notary, or other officer or officers in any court whatſoever, ſhall be engroſſed or written, (except ſuch officer be an annual officer in any corporation or inferior court, whoſe office is under the value of ten pounds a year in ſalary, fees, or other perquiſites) the ſum of three pounds; for every ſkin or piece of vellum or parchment or piece of paper, upon which any appeal from the court of admiralty or the prerogative court, or from any archiepiſcopal court, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment or piece of paper, upon which any conveyance, ſurrender of grants or offices, releaſe, or other deed whatſoever which ſhall be enrolled of record in any of the courts at the city of Dublin, or in any other courts of record whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; for every piece of vellum or parchment, upon which any writ of covenant for levying a fine ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every piece of vellum or parchment, upon which any writ of entry for ſuffering a common recovery ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every ſkin of vellum or parchment, upon which any exemplification of what nature whatſoever, that ſhall paſs the ſeal of any court whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin of vellum or parchment, upon which any decree or diſmiſſion made by or in the courts of chancery or exchequer ſhall be engroſſed or written, the ſum of

Grants or patent under great ſeal of honour, dignity, promotion, franchiſe, or privilege, or the exemplification, (commiſſion of rebellion excepted) 3l. per ſkin,

pardon, reprieve, relaxation from fine or forfeiture 3l.

grant for above 100l. under great ſeal 3l.

of office or employment above 50l. *per ann.* 3l.

of lands in fee, leaſe for years or other profit not particularly charged (cuſtodiam excepted) 2l.

eccleſiaſtical promotion 100l. a year, 2l.

the value aſcertained by certificate,

epiſcopal unions one benefice only,

diſpenſation or faculty, 6l.

Admittance in college of phyſicians, attorney, clerk, advocate, proctor, notary, or other officer in any court, 3l.

except annual in corporation or inferior court under 10l. a year,

appeal from admiralty, prerogative, &c. 3l.

deed inrolled 5s.

writ for fine or recovery 2s. & 6d.

exemplification, 5s.

decree or diſmiſs 6d.

of

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of six pence; for every skin or piece of vellum or parchment or sheet of paper, upon which any institution, that shall pass the seal of any archbishop or bishop, chancellor or other ordinary, or any ecclesiastical court whatsoever, shall be engrossed or written, the sum of five shillings; provided that an institution to two or more benefices episcopally united shall be considered as to a single benefice; for every skin or sheet of vellum or parchment or piece of paper, upon which any writ of error, certiorari, or appeal, except to the delegates, shall be engrossed or written, the sum of five shillings; as also for every skin or piece of vellum or parchment, or piece of paper, upon which any writ of *habeas corpus* shall be engrossed or written, the sum of one shilling; for every skin or piece of vellum or parchment, or piece of paper, upon which any sentence, that shall be given in the court of admiralty, or upon which any attachment that shall be made out of the said court of admiralty, or any relaxation of any such attachment, shall be engrossed or written, the sum of five shillings; for every skin or piece of vellum or parchment, sheet or piece of paper, upon which any probate of a will or letters of administration for any estate above the value of thirty pounds shall be engrossed or written, the sum of five shillings; for every skin or piece of vellum or parchment, sheet or piece of paper, upon which any recognizances conditioned for the payment of money or performance of covenants or agreements, statute staple or statute merchant, shall be engrossed or written, or entered of record in any court or office, the sum of five shillings; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any record of *nisiprius* or *postea* shall be engrossed or written, the sum of two shillings and six pence; for every skin or piece of vellum or parchment or paper, upon which shall be engrossed or written any judgment whatsoever, which shall be signed by the master of any office, or his deputy, or secondary, or by any prothonotary, or his secondary, deputy, or clerk, or any other officer belonging to any of the courts at the city of Dublin, who have power or usually do or shall sign judgments, a duty after the rate of two shillings and six pence for every judgment engrossed or written on such skin or piece of vellum, or parchment, or paper; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any commission issuing out of any ecclesiastical court, not herein otherwise particularly charged, shall be engrossed or written, the sum of two shillings and six pence; for every skin, piece of vellum or parchment, or piece or sheet of paper, upon which any warrant, monition, or personal decree in the court of admiralty, shall be engrossed or written (except in suits for the payment of seamen's wages) the sum of two shillings and six pence; for every piece of vellum, parchment, or paper, upon which any special bail to be taken in any of the courts of the city of Dublin, or before any of the judges of the said courts, or in any other court whatsoever, shall be engrossed or written, and for every piece of vellum, parchment, or paper, upon which shall be engrossed or written any appearance upon such special bail, the sum of one shilling; for every piece of parchment, vellum, or paper, upon which any common bail to be filed in any court whatsoever, and upon which any appearance, that shall be made upon such bail, shall be engrossed or written, the sum of six pence; for every skin or piece of vellum or parchment, upon which shall be engrossed or written any bill, answer, replication, rejoinder, interrogatories, depositions taken by commissioners, or any other pleadings whatsoever in the courts of chancery or exchequer, the sum of one shilling; for every skin or piece of vellum or parchment, and for every sheet or piece of paper, upon which any admission into any corporation or company shall be engrossed or written, the sum of six pence; for every piece of parchment or paper, upon which any affidavit shall be engrossed or written (except such affidavits as shall be taken before the officers of his Majesty's customs or excise, or any justice or justices of the peace, or before a magistrate of any corporation acting as a justice of the peace, or acting in any court of of conscience or of summary jurisdiction, or before any judge of assize, or commissioner of oyer and terminer, relative to prosecutions or trials

institution 5s.

unions as one benefice,

error, certiorari, or appeal except to delegates, 5s.

habeas corpus 1s.

admiralty sentence, attachment, or relaxation 5s.

probate or letters of administration for above 30l. 5s.

recognizance, statutes, 5s.

nisiprius or postea 2s. & 6d.

judgments signed by officer 2s. & 6d.

commission out of ecclesiastical court, not otherwise charged, 2s. & 6d.

admiralty warrant, monition, or decree, save for seamens wages, 2s. & 6d.

special bail, or appearance, 1s.

or common bail, 6d.

chancery or exchequer pleadings, 1s.

admission in corporation or company, 6d. 17 & 18 *G.* 3. *c.* 36. *s.* 14.

affidavits 6d. except before officers or magistrates, &c. on indictments or civil bills, or publick money, hemp or flax manufacture, corn premiums, turnpikes, or Dublin society,

trials on indictments, or to civil bills, or that ſhall be made for the purpoſe of raiſing or accounting for publick money, and except affidavits made relative to the hempen and flaxen manufacture, or to the payment of corn premiums, or made before the truſtees of any turnpike, relative to the roads or tolls of ſuch turnpike, or affidavits made before the Dublin ſociety) the ſum of ſix pence; for every piece of parchment or paper, upon which any copy of ſuch affidavit, as is herein before charged, that ſhall be filed or read in any court whatſoever, ſhall be engroſſed or written, the ſum of ſix pence; for every piece of vellum or parchment, or piece of paper, upon which ſhall be engroſſed or written any indenture, leaſe, or deed-poll, not hereby otherwiſe charged (except indentures for binding poor pariſh or other poor children ſupported by publick or private charities apprentices) the ſum of one ſhilling; for every piece of vellum or parchment, or piece of paper, upon which any original writ (except ſuch original upon which a writ of *capias* iſſues) *ſubpœna*, writ of *capias quominus*, writ of *dedimus poteſtatem*, to take anſwers, examine witneſſes, or appoint guardians, or any other writ whatſoever or any other proceſs or mandate that ſhall iſſue out of, or paſs the ſeals of any of the courts at the city of Dublin, or any other court whatſoever, holding plea, where the debt or damage doth amount to forty ſhillings or above, or the thing in demand is of that value, ſhall be engroſſed or written, the ſum of ſix pence; for every piece of vellum, parchment, or paper, upon which any entry of any action in the mayor's and ſheriffs courts of the city of Dublin, and in courts in all corporations, and other courts whatſoever, out of which no writs, proceſs, or mandates iſſue holding plea, where the debt or damage doth amount to forty ſhillings or above, ſhall be engroſſed or written, the ſum of ſix pence; for every piece of vellum, parchment, or paper, upon which any rule or order (except in cauſes proſecuted upon indictments, or which relate to preſentments) made or given in any of the courts at the city of Dublin, either courts of law or equity, which ſhall be taken out, ſhall be engroſſed or written, the ſum of ſix pence; for every piece of vellum, parchment, or paper, upon which any copy of ſuch rules or orders (except in cauſes proſecuted upon indictments or which relate to preſentments) entered, or the copies of any other records or proceedings in any of the ſaid courts at the city of Dublin, not hereby otherwiſe charged, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which ſhall be engroſſed or written any citation or monition made in the prorogative court, or in any eccleſiaſtical court, or any libel or allegation, depoſition, anſwer, ſentence, or final decree, or any inventory exhibited in the prorogative court, or in any eccleſiaſtical court, or the court of admiralty, or whereupon any copies of them reſpectively ſhall be engroſſed or written (except in ſuits for recovery of ſeamens wages) the ſum of ſix pence; for every ſkin or piece of vellum or parchment or piece or ſheet of paper, upon which any charter party, policy of aſſurance, paſſport, bond, releaſe, contract, or other obligatory inſtrument, or any proteſt, procuration, letter of attorney, or any other notarial act whatſoever, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any declaration, plea, replication, rejoinder, demurrer, or other pleadings whatſoever, in any court of law ſhall be engroſſed or written the ſum of one penny; for every ſkin or piece of vellum or parchment, piece or ſheet of paper, upon which any copy thereof ſhall be written or engroſſed, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any depoſitions taken in the court of chancery or court of exchequer, except the paper draughts of depoſitions taken by virtue of any commiſſion before they are engroſſed, which are not herein before charged, or upon which any copy of any bill, anſwer, plea, demurrer, replication, rejoinder, interrogatories, depoſitions, or other proceedings whatſoever in any court of equity, ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which a copy atteſted by the proper officer of the prerogative

copy of affidavits charged, filed or read, 6d.

deeds, not otherwiſe charged 1s. except for binding poor children,

writs (except original on which *capias*) proceſs, where debt or damage 40s. 6d.

entry of action in corporation courts, &c. 6d.

rule or order (except on indictment or preſentment) in courts of law or equity, 6d.

copies thereof, or of proceedings not otherwiſe charged 6d.

proceedings in prerogative, eccleſiaſtical or admiralty courts, or copies 6d. ſave for ſeamens wages,

policy, obligatory inſtrument, or notarial act, 6d.

law pleadings or copy, 1d.

Depoſitions in equity, copy of proceedings, 1d.

atteſted copy of wills, 1d.

prerogative court or any eccleſiaſtical court, of any will, ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which ſhall be engroſſed or written any certificate or debenture for drawing back any cuſtoms or duties for or in reſpect of the reſhipping or exporting of any goods or merchandizes, which at any time or times from and after the twenty-fifth day of March one thouſand ſeven hundred and ſeventy four ſhall be exported or ſhipped to be exported from the kingdom of Ireland for any parts beyond the ſeas, to be paid by the perſon for whoſe benefit or at whoſe inſtance ſuch debenture or certificate ſhall be obtained, the ſum of four pence; for every almanack or calendar for any one particular year, or for any time leſs than a year, which ſhall be printed on one ſide only of any one ſheet or piece of paper only, the ſum of one penny; for every other almanack or calendar for any one particular year, the ſum of two pence: provided, that for every printed almanack or calendar made to ſerve for ſeveral years the reſpective rates aforeſaid ſhall be paid for every ſuch year: for all papers called pamphlets, and for all news papers or paper containing public news, intelligence, or occurrences, which ſhall be printed in this kingdom to be diſperſed and made public, ſuch pamphlet or paper not exceeding one whole ſheet, one halfpenny ſterling for every printed copy thereof; for every ſuch pamphlet or paper being larger than one whole ſheet, and not exceeding ſix ſheets in octavo or in a leſſer page, or not exceeding twelve ſheets in quarto, or twenty ſheets in folio, ſo printed, a duty after the rate of one ſhilling ſterling for every ſheet of any kind of paper which ſhall be contained in one printed copy or impreſſion thereof; for every advertiſement to be contained in or publiſhed with any gazette, news paper, or journal to be publiſhed weekly or oftener, or in any other printed paper or pamphlet whatſoever, being diſperſed or made publick yearly, monthly, or at any other interval of time, the ſum of two pence ſterling.

certificate for drawback, 4d.

almanacks on 1 ſide of a ſheet, 1d.

others 2d.

for every year,

pamphlets, news papers of one ſheet, ½d.

not above 6 octavo, 12 quarto, or 20 folio, 1s. a ſheet,

every advertiſement, 2d.

II. And be it further enacted by the authority aforeſaid, that every deed, inſtrument, note, memorandum, letter, or other muniment or writing for or relating to the payment of any ſum of money, or for making any valuable conſideration for or upon the loſs of any ſhip, veſſel, goods, wages, money, effects, or upon any loſs by fire, or for any loſs whatſoever, or for or upon any life or lives, ſhall be conſtrued, deemed, and adjudged to be policies of aſſurance within the meaning of this act.

Any writing for any conſideration upon any loſs, or on lives, deemed policies of aſſurance.

III. And be it further enacted by the authority aforeſaid, that every deed, inſtrument, note, memorandum, letter, or other muniment, or writing between the captain or maſter, or owner of any ſhip or veſſel, and any merchant, trader, or other perſon in reſpect to the freight or conveyance of any money, goods, wares, merchandizes, or effects, laden or to be laden on board of any ſuch ſhip or veſſel, ſhall be deemed and adjudged to be a charter party within the meaning of this act.

Writing as to freight of goods, &c. on board ſhip, a charter party.

IV. And for preventing abuſes committed by arreſting perſons without any writ or legal proceſs to juſtify the ſame, by means whereof the duty hereby given to the crown upon ſuch proceſs will be loſt, be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of March one thouſand ſeven hundred and ſeventy four every officer or clerk belonging, or which ſhall hereafter belong, to the court of king's bench, common pleas, or exchequer, who ſhall ſign any writ or proceſs before judgment to arreſt any perſon or perſons thereupon, ſhall at the ſigning thereof ſet down upon ſuch writ or proceſs the day and year of the ſigning the ſame, which ſhall be entered upon the remembrance, or in the book where the abſtract of ſuch writ or proceſs ſhall be entered, upon pain to forfeit the ſum of ten pounds for every offence or neglect of ſuch officer or clerk aforeſaid, to be recovered by any perſon who ſhall ſue for the ſame in any court of record of his Majeſty, his heirs or ſucceſſors, by action of debt, bill, plaint, or information, wherein no wager of law, protection, or eſſoign, or more than one imparlance ſhall be allowed.

To prevent arreſt without writ or proceſs whereby the duty loſt, day and year of ſigning writ or proceſs before judgment to arreſt ſhall be ſet down thereon by the officer, and entered,

penalty 10l. to proſecutor.

V. And

V. And be it further enacted by the authority aforeſaid, that all books and pamphlets ſerving chiefly for the purpoſe of an almanack, by whatſoever name or names intitled or deſcribed, are and ſhall be charged with the duty impoſed by this act on almanacks, but not with any of the duties charged by this act on pamphlets or any other printed papers, any thing herein contained to the contrary notwithſtanding.

Pamphlets ſerving for, charged only as, almanacks.

VI. Provided always, that this act or any thing therein contained ſhall not extend to charge any bills of exchange, accounts, bills of parcels, bills of fees, or any bills or notes (not ſealed) for payment of money at ſight, or upon demand, or at the end of certain days of payment.

Bills of exchange or notes &c. not ſealed, not charged.

VII. Provided alſo, that nothing in this act contained ſhall extend to charge the probate of any will or letters of adminiſtration of any common ſeaman or ſoldier, who ſhall be ſlain or die in his Majeſty's ſervice, a certificate being produced from the captain or commander of the ſhip or veſſel, or captain or commanding officer of the troop or company under whom ſuch ſeaman or ſoldier ſerved at the time of his death, and oath (or if by a quaker a ſolemn affirmation) ſhall be made of the truth thereof before the proper judge or officer, by whom ſuch probate or adminiſtration ought to be granted; which oath or affirmation ſuch judge or officer is hereby authorized and required to adminiſter, and for which no fee or reward ſhall be taken.

Probate or adminiſtration of ſeaman or ſoldier dying in ſervice, on certificate of captain or commanding officer and oath of the truth, not charged.

VIII. Provided alſo, that none of the rates, duties, or ſums of money, before in this act expreſſed, ſhall be raiſed, levied, collected, or paid, or be payable unto his Majeſty by virtue of this act, by any perſon or perſons that ſhall be admitted to ſue or defend in *forma pauperis*.

Nor paupers.

IX. Provided alſo, that this act, or any clauſe therein contained, ſhall not be conſtrued to charge with any duty any warrant made by or recognizance taken before any juſtice or juſtices of the peace, or any proceedings of any court martial which relate to any trial of any common ſoldier, but ſuch warrants, recognizances, and proceedings, ſhall and are hereby declared to be exempted from the payment of any of the duties before mentioned in this act.

Proceedings on court martial on trial of common ſoldier exempted.

X. Provided alſo, that this act ſhall not extend to charge any acts of parliament, proclamation, order of council, forms of prayer and thankſgiving, or any acts of ſtate, which ſhall be ordered by his Majeſty, his heirs or ſucceſſors, to be printed, or the printed votes or other matters which are or ſhall be ordered to be printed by either houſe of parliament, with any of the ſaid duties on pamphlets or news papers, or to charge any books commonly uſed in any of the ſchools of Ireland, or any books containing only matters of devotion or piety, with the ſaid duties on pamphlets, or to charge any ſingle advertiſement printed by itſelf, or the daily accounts or bills of goods imported and exported, or the weekly bills of mortality (ſo as ſuch accounts or bills do contain no other matters, than what have been uſually comprized therein) with any the duties aforeſaid, any thing herein contained to the contrary notwithſtanding.

And acts of parliament or of ſtate, votes or orders of either houſe, books of ſchools or devotion only, ſingle advertiſements, daily bills of import and export, or of mortality.

XI. And be it enacted by the authority aforeſaid, that for the better and more effectual levying, collecting, and paying unto his Majeſty, his heirs and ſucceſſors, the ſeveral and reſpective duties hereby granted, it ſhall and may be lawful for his Majeſty, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, from time to time to nominate and appoint ſuch perſons, as his Majeſty, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall think fit, to be commiſſioners or officers for the ſtamping and marking of parchment, vellum, and paper, and managing the duties thereupon; and that the commiſſioners ſo to be appointed ſhall keep their head office in ſome convenient place within the city of Dublin; and the ſaid commiſſioners, or the major part of them, are hereby impowered under their hands and ſeals to appoint ſuch other inferior officers with the conſent and approbation of the lord lieutenant, or other chief governor or governors of this kingdom for the time being, for the marking or ſtamping of vellum, parchment,

Commiſſioners of ſtamps appointed by chief governor,

head office in *Dublin*,

to appoint inferior officers under hand and ſeal with conſent of chief governor,

A. D. 1773-4. Chap. 6.

parchment, and paper, or for the better collecting or levying the duties hereby granted to his Majeſty, his heirs and ſucceſſors, as they in their diſcretion ſhall think proper; and the ſaid commiſſioners ſhall by the ſpace of thirty days before the twenty fifth day of March, which ſhall be in the year of our Lord one thouſand ſeven hundred and ſeventy four, provide ſeveral marks or ſtamps, differing from each other, for the ſeveral and reſpective duties hereby granted, with which ſeveral marks or ſtamps all vellum, paper, and parchment, upon which any of the ſeveral and reſpective things herein before charged ſhall be engroſſed or written, ſhall be ſtamped and impreſſed; which ſaid ſeveral ſtamps and marks ſhall be publiſhed by proclamation to be iſſued under the great ſeal of Ireland a convenient time before the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy four, to the end that all perſons may have due notice thereof; and that the ſaid marks or ſtamps, or any of them, ſhall or may be altered or renewed from time to time, as his Majeſty, his heirs and ſucceſſors, or the lord lieutenant or other chief governor or chief governors of this kingdom for the time being, ſhall think fit, ſo as publick notification thereof be given by proclamation as aforeſaid: and that all courts of juſtice and judges whatſoever ſhall without any allegation or proof on that behalf take judicial notice of the proclamation and proclamations to be iſſued by virtue of this act, and of all the types, marks, and ſtamps, which ſhall thereby be publiſhed, as and for the true and lawful types, marks, and ſtamps to be made, provided, and uſed in purſuance of this act.

and 30 days before 25 March 1774 provide different ſtamps,

publiſhed by proclamation,

altered or renewed on like notice,

judicial notice thereof in all courts.

XII. And be it further enacted by the authority aforeſaid, that the commiſſioners in providing the ſaid marks and ſtamps ſhall take care, they be ſo contrived, that the impreſſion thereof may be durable, and ſo as the ſame may be leaſt liable to be forged or counterfeited.

Impreſſion durable,

leaſt liable to forgery.

XIII. And be it further enacted by the authority aforeſaid, that the commiſſioners to be conſtituted by his Majeſty, his heirs or ſucceſſors, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being as aforeſaid, ſhall and may appoint a fit perſon to attend in any court or office to take notice of the vellum, parchment, or paper, upon which any of the matters or things aforeſaid ſhall be engroſſed, written, or put, and of the marks or ſtamps thereupon, and of all other matters and things tending to ſecure his Majeſty's duties ariſing by this act; and that the judges in the ſeveral courts, and ſuch others to whom it may appertain, at the requeſt or requeſts of the ſaid commiſſioners, or of any two or more of them, ſhall make ſuch orders in the reſpective courts, and do ſuch other matters and things for the better ſecuring of the ſaid duties, as ſhall be lawfully and reaſonably deſired in that behalf; and that every commiſſioner and other officer, before he proceeds to the execution of this act, ſhall take the oath following, that is to ſay:

Commiſſioners to appoint a perſon to notice the vellum, paper, ſtamps, &c.

orders in courts at commiſſioners requeſt for ſecuring the duties,

previous oath by commiſſioners and officers,

I A. B. *do ſwear, that I will faithfully execute the truſt repoſed in me purſuant to an act of parliament, intitled,* An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper, *without fraud or concealment, and will from time to time true account make of my doings therein, and deliver the ſame to ſuch perſon or perſons, as his Majeſty, his heirs or ſucceſſors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall appoint to receive ſuch account, and will take no fee, reward, or profit for the execution or performance of the ſaid truſt, or the buſineſs relating thereunto, from any perſon or perſons, other than ſuch as ſhall be paid or allowed by his Majeſty, his heirs or ſucceſſors, or by ſome other perſon or perſons for that purpoſe authorized by his Majeſty, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being.*

adminiſtererd by any two,

And ſuch oath ſhall and may be adminiſtered to any ſuch commiſſioner or commiſſioners by any two or more of the ſame commiſſioners, whether they have taken

taken the ſame previouſly or not; and any of the ſaid commiſſioners or any juſtice of the peace within the kingdom of Ireland ſhall and may adminiſter the like oath to any ſubordinate officer.

by any of them or any juſtice to ſubordinate officer.

XIV. And be it further enacted by the authority aforeſaid, that the ſaid commiſſioners or officers to be appointed as aforeſaid, and all ſub-commiſſioners and officers to be employed or intruſted by or under them as aforeſaid, ſhall from time to time in and for the better execution of their ſeveral places and truſts obſerve and perform ſuch rules, methods, and orders, as they reſpectively ſhall receive from time to time from the lord lieutenant or other chief governor or governors of this kingdom for the time being; and that the ſaid commiſſioners ſhall take ſpecial care, that the ſeveral parts of this kingdom ſhall from time to time be ſufficiently furniſhed with vellum, parchment, and paper, ſtamped or marked as aforeſaid, ſo as his Majeſty's ſubjects may have it in their election to buy the ſame of the officers or perſons to be employed by the ſaid commiſſioners at the uſual or moſt common rates above the ſaid duty, or to bring their own vellum, parchment, or paper to be ſtamped as aforeſaid, or to furniſh themſelves or others that ſhall have done the ſame.

Orders from chief governor obſerved,

commiſſioners to furniſh ſtamped paper, &c.

election to buy the ſame, or bring their own to be ſtamped,

XV. And to the end that his Majeſty may not be defrauded of any of the duties hereby granted, be it enacted by the authority aforeſaid, that all records, writs, pleadings, and other proceedings in courts of law and equity, and all deeds, inſtruments, and writings whatſoever hereby charged, ſhall be engroſſed or written in ſuch manner, as they have been uſually accuſtomed to be written, or are now written.

All proceedings in courts, and writings engroſſed as uſual.

XVI. And be it further enacted by the authority aforeſaid, that all vellum, parchment, and paper, hereby intended to be charged with the ſeveral and reſpective duties aforeſaid, ſhall, before any of the matters or things herein before mentioned ſhall be thereupon engroſſed or written, be brought to the head office aforeſaid to be ſtamped and marked; and the ſaid commiſſioners and officers are hereby required upon demand of the perſon or perſons ſo bringing the ſame forthwith without fee or reward to ſtamp or mark any quantities or parcels of vellum, parchment, or paper ſo brought, ſuch perſon or perſons paying to ſuch officer or officers as ſhall be appointed in that behalf the reſpective duties hereby directed to be paid for the ſame.

Vellum, &c. brought to the head office to be ſtamped,

ſtamped forthwith without fee, paying the duties.

XVII. And be it further enacted by the authority aforeſaid, that if any commiſſioner or other officer, to be appointed as aforeſaid, ſhall fix any ſuch mark or ſtamp to any vellum, parchment, or paper, before the ſeveral and reſpective duties thereupon charged by this act ſhall be duly anſwered and paid or be ſecured to be paid to his Majeſty's uſe, he ſhall for every ſuch offence forfeit the ſum of one hundred pounds; one moiety thereof to his Majeſty, and the other moiety to him or them that ſhall inform or ſue for the ſame in any of his Majeſty's courts of record.

Stamping before payment, 100l. to king and proſecutor.

XVIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall engroſs or write, or cauſe to be engroſſed or written, upon any vellum, parchment, or paper, any of the matters or things, for which the ſaid vellum, parchment, or paper is hereby charged to pay any duty, before ſuch time as the ſaid vellum, parchment, or paper ſhall be marked or ſtamped as aforeſaid, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame; or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment or paper, that ſhall be ſtamped or marked for any lower duty, than the duty by this act payable for what ſhall be ſo engroſſed or written, then and in every ſuch caſe there ſhall be duly anſwered and paid to his Majeſty over and above the duty aforeſaid for every ſuch deed, inſtrument, or writing, the ſum of ten pounds; and no ſuch record, deed, inſtrument, or writing ſhall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity, until as well the ſaid duty as the ſaid ſum of ten pounds ſhall be firſt paid to his Majeſty's uſe, and a receipt produced for the ſame under the hand or hands of ſome of his Majeſty's officers, who ſhall be appointed

Writing before ſtamped, or ſtamped for lower duty, 10l. above the duty,

ſuch writing not admitted in any court till payment, and receipt produced and lawful ſtamp.

to receive the duties above mentioned, and until the vellum, parchment, or paper, on which ſuch deed, inſtrument, or writing ſhall be written or made, ſhall be marked or ſtamped with a lawful mark or ſtamp; and the proper officer and officers are hereby enjoined and required upon payment or tender of the ſaid duty and ſum of ten pounds unto him or them to give a receipt for the ſame, and to mark or ſtamp the ſaid vellum, parchment, or paper with the mark or ſtamp, that ſhall be proper for ſuch deed, inſtrument, or writing reſpectively.

Clerk, officer, &c. guilty of fraud or practice by writing without ſtamp, or on a counterfeit knowingly, or ſtamped for lower duty, a forfeiture of office and diſabled.

XIX. And be it further enacted by the authority aforeſaid, that in caſe any clerk, officer, or perſon, who in reſpect of any public office or employment is or ſhall be intitled or intruſted to make, engroſs, or write any records, deeds, inſtruments, or writings, by this act charged to pay a duty as aforeſaid, ſhall be guilty of any fraud or practice to deceive his Majeſty of any duty by this act payable by making, engroſſing, or writing any ſuch record, deed, inſtrument, or writing, or by cauſing the ſame to be made, engroſſed, or written, upon vellum, parchment, or paper, not marked or ſtamped according to this act, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or upon vellum, parchment, or paper, marked or ſtamped with any mark or ſtamp, which he ſhall know to be counterfeited, or by engroſſing or writing any ſuch deed, inſtrument, or other writing, upon vellum, parchment or paper, that ſhall be marked or ſtamped for a lower duty as aforeſaid, then every ſuch clerk, officer, or perſon ſo guilty of any ſuch fraud or practice, and being thereof lawfully convicted, ſhall forfeit his office, place, or employment reſpectively, and be diſabled to hold or enjoy the ſame for the future. And if any attorney belonging to any court whatſoever ſhall be guilty of any ſuch fraud or practice as aforeſaid, and be convicted thereof, he ſhall be diſabled for the future to practice as an attorney.

and attorney ſo guilty diſabled.

If any perſon write any thing, for which duty payable, on paper, &c. whereon any thing before written for which duty payable, before again ſtamped, or eraſe any thing, or get off ſtamp to uſe it for any other, penalty 50l.

XX. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall write or engroſs, or cauſe to be written or engroſſed, either the whole or any part of any matter or thing, in reſpect whereof any duty is payable by this act, upon any part of any piece of vellum, parchment, or paper, whereon there ſhall have been before engroſſed, written, or printed, any other matter or thing, in reſpect whereof any duty is payable by this act, before ſuch vellum, parchment, or paper ſhall have been again marked or ſtamped according to this act, or ſhall fraudulently eraſe or ſcrape out, or cauſe to be eraſed or ſcraped out, the name or names of any perſon or perſons, or any ſum, date, or other thing engroſſed, written, or printed, in ſuch inſtrument, writing, matter, or thing as aforeſaid, or fraudulently cut, tear, or get off any mark or ſtamp from any piece of vellum, parchment, or paper, or any part thereof, with intent to uſe ſuch ſtamp or mark for any other writing, matter, or thing, in reſpect whereof any duty ſhall be payable by virtue of this act, then ſo often, and in every ſuch caſe, every perſon ſo offending in any of the particulars before mentioned ſhall for every ſuch offence forfeit the ſum of fifty pounds.

Altered ſtamped paper, &c. upon which no writing hereby charged, may in 60 days after proclamation be brought to head office,

XXI. Provided always, and be it further enacted by the authority aforeſaid, that as often as his Majeſty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time-being, ſhall think fit to alter or renew the ſaid marks or ſtamps, or any of them, it ſhall be lawful for all perſons, who ſhall at that time have in their cuſtody or poſſeſſion any vellum, parchment, or paper, marked with the mark or ſtamp which ſhall have been ſo altered or renewed, and upon which none of the matters or things hereby charged ſhall have been engroſſed or written, at any time within the ſpace of ſixty days after ſuch intention of renewing or altering ſhall be publiſhed by proclamation as aforeſaid, to bring or ſend ſuch vellum, parchment, or paper unto the ſaid commiſſioners to the head office in the city of Dublin, or to ſuch other officers as ſhall be appointed as aforeſaid; and the ſaid commiſſioners and officers reſpectively are hereby required to deliver, or cauſe to be delivered, unto the ſeveral perſons, who ſhall ſo bring and deliver any quantity of vellum, paper, or parchment, the like quantity of vellum, parchment, or paper, and as good in quality,

like quantity and quality delivered with new ſtamp gratis,

ſtamped with ſuch new ſtamp or mark, without demanding or taking directly or indirectly for the ſame any ſum of money or other conſideration whatſoever, under the penalty of forfeiting for every offence one hundred pounds; to be ſued for, recovered, and divided, in ſuch manner as the other penalties in this act are directed to be ſued for, recovered, and divided. And in caſe any perſon ſhall neglect or refuſe within the time aforeſaid to bring or cauſe to be brought and delivered unto the ſaid commiſſioners and officers as aforeſaid any ſuch vellum, parchment, or paper, the ſame is hereby declared to be of no other effect or uſe, than if it had never been ſtamped; and that all matters or things, which ſhall after that time be engroſſed or written thereon, ſhall be of no other effect, than if they had been engroſſed or written on vellum, parchment, or paper, not marked or ſtamped at all; and all perſons, who ſhall engroſs or write any of the matters or things hereby charged on ſuch vellum, parchment, or paper after the ſaid time, ſhall forfeit and ſuffer, as herein before is enacted for perſons writing or engroſſing on vellum, parchment, or paper, not marked or ſtamped.

penalty 100l. if not ſo brought deemed not ſtamped,

and writing thereon like penalty as if on paper not ſtamped.

XXII. Provided always, and be it further enacted by the authority aforeſaid, that as often as his Majeſty, his heirs or ſucceſſors, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall think fit to alter the ſaid ſtamps, or any of them, the proclamation, which is hereby intended to be made for the giving all perſons due notice thereof, ſhall within twenty days after the date thereof be ſent to the mayor, chief magiſtrate, or other head officer of every city, corporation, borough, and market town throughout the kingdom of Ireland, which officers reſpectively ſhall cauſe the ſame to be publiſhed to the inhabitants of ſuch city, corporation, borough or town, either on the next market day, or next Sunday in the church immediately after the time of divine ſervice, upon pain of forfeiting the ſum of fifty pounds, to be ſued for by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at Dublin, wherein no eſſoign, protection, wager of law, privilege, or more than one imparlance, ſhall be granted or allowed; the one moiety of which forfeiture to be to his Majeſty, his heirs and ſucceſſors, the other moiety to ſuch perſon who ſhall ſue for the ſame.

Proclamation of altered ſtamps in 20 days after date ſent to chief magiſtrate or officer of every city or town,

publiſhed next market or Sunday,

penalty 50l. to King and proſecutor.

XXIII. And for the better diſtribution of the ſaid vellum, parchment, and paper, and that the ſubjects may have the ſame with more convenience and at an eaſy rate, be it further enacted by the authority aforeſaid, that the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall once in every year at leaſt ſet the prices of all ſorts of ſtamped vellum, parchment, or paper, at which the ſame ſhall be ſold; and that the ſaid commiſſioners for managing the ſaid duties upon vellum, parchment, and paper, ſhall ſtamp the ſaid price ſo ſet upon every ſkin or piece of vellum or parchment, or ſheet or piece of paper, ſo by them to be ſold; and that the ſaid commiſſioners ſhall likewiſe allow and pay to every perſon, that ſhall bring vellum, parchment, or paper to the ſaid head officer to be ſtamped in purſuance of this act (the duties whereof hereby impoſed ſhall amount to the ſum of ten pounds or upwards) after the rate of ſix pounds in the hundred pounds *per annum* for ſix months, upon preſent payment of the ſaid duty upon the ſaid vellum, parchment, or paper ſo by them brought; and that any perſon or perſons, who ſhall buy of the ſaid commiſſioners or their agents vellum, or parchment, or paper, at the head office for ſtamping the ſame, the duty whereof ſhall amount to the like ſum of ten pounds or upwards, ſhall have the ſame allowance for preſent payment.

Prices of ſtamped paper, &c. ſet once a year at leaſt,

ſtamped on every ſkin or ſheet ſold,

allowance for preſent payment, where the duty 10l. or upwards.

XXIV. And for the better collecting and ſecuring the duties hereby charged on ſuch pamphlets containing more than one ſheet of paper as aforeſaid, be it further enacted by the authority aforeſaid, that one printed copy of every ſuch pamphlet, which from and after the ſaid twenty-fifth day of March ſhall be printed or publiſhed within the city of Dublin, ſhall within the ſpace of ſix days after the

A copy of pamphlets above 1 ſheet, printed in *Dublin*, brought to the office in 6 days,

the printing thereof be brought to the ſaid head office for marking or ſtamping of vellum, parchment, and paper; and the title thereof, with the number of ſheets contained therein, and the duty hereby charged thereon, ſhall be regiſtered in or entered in a book to be there kept for that purpoſe, which duty ſhall be thereupon paid to the proper officer or officers to be appointed to receive the ſame, or his or their deputy or clerk, who ſhall thereupon forthwith give a receipt for the ſame on ſuch printed copy to denote the payment of the duty hereby charged on ſuch pamphlet; and that one printed copy of every ſuch pamphlet, that ſhall be printed or publiſhed in any place, not being within the city of Dublin laſt before mentioned, ſhall within the ſpace of fourteen days after the printing thereof be brought to ſome head collector of the ſaid ſtamp duties, who is hereby required forthwith to enter the title thereof with the number of ſheets contained therein, and the duty hereby charged thereon, in a book to be by him kept for that purpoſe; which duty ſhall be thereupon paid to ſuch collector, who ſhall thereupon give a receipt for the ſame on ſuch printed copy.

the title, ſheets, and duty regiſtered,

duty paid, and receipt indorſed, if not in *Dublin*, in 14 days to head collector.

Penalty 20l.

XXV. And be it further enacted by the authority aforeſaid, that if any ſuch pamphlet ſhall be printed or publiſhed, and the duty hereby charged thereon ſhall not be duly paid, and the title and number of ſheets thereof ſhall not be regiſtered, and a receipt for ſuch duty given on one copy thereof within the reſpective times, herein before for thoſe ſeveral purpoſes limited, then the printer and publiſher, and all other perſons concerned in or about the printing or publiſhing, of ſuch pamphlet ſhall for every ſuch offence forfeit the ſum of twenty pounds.

Selling pamphlet or news without real printer's name and abode,

Penalty 20l.

XXVI. And be it enacted by the authority aforeſaid, that no perſon whatſoever ſhall ſell or expoſe to ſale any ſuch pamphlet or any news paper without the true reſpective name or names and place or places of abode of ſome known perſon or perſons, by or for whom the ſame was really and truly printed or publiſhed, written or printed thereon, upon pain that every perſon offending herein ſhall for every ſuch offence forfeit the ſum of twenty pounds.

No ſtamp ſold for pamphlet or news in 1 ſheet or leſs, till ſecurity for duties for advertiſements.

XXVII. And be it further enacted by the authority aforeſaid, that no officer appointed for diſtributing ſtamped vellum, parchment, or paper in this kingdom, ſhall ſell or deliver any ſtamped paper for printing any pamphlet, or any public news, intelligence, or occurrences to be contained in one ſheet or any leſſer piece of paper, unleſs ſuch perſon ſhall give ſecurity to the ſaid officer for the payment of the duties for the advertiſements, which ſhall be printed therein or thereupon.

Stamps for news or pamphlets of 1 ſheet or leſs, remaining unfold, cancelled,

on oath thereof and of no fraudulent return or profit made,

XXVIII. And in regard of the incertainty how many copies of the ſaid printed news papers to be contained in one ſheet, or in a leſſer piece of paper, may be ſold; and to the intent the duties hereby granted thereupon may not be leſſened, by printing a leſs number than may be ſold out of fear of loſs thereby in printing more ſuch copies, than may happen to be ſold, it is hereby provided, and be it further enacted by the authority aforeſaid, that the commiſſioners for managing the ſaid ſtamped duties, or the major part of them, or ſuch head officers as they with ſuch approbation as aforeſaid ſhall appoint in this behalf, ſhall and may cancel or cauſe to be cancelled all the ſtamps upon the copies of any impreſſion of ſuch news paper or pamphlet contained in one ſheet, or any leſſer piece of paper, which ſhall really and truly remain unfold in the hands of the perſon or perſons, by or for whom the ſame ſhall be printed or publiſhed; and upon oath or oaths (or if by a quaker upon ſolemn affirmation) made before the ſaid commiſſioners or the major part of them, or ſuch head officer, to the ſatisfaction of ſuch commiſſioners or head officer, that all ſuch copies containing the ſtamps ſo tendered to be cancelled are really and truly remaining unfold in the hands of the perſon, or perſons by or for whom the ſame were printed or publiſhed, and that none of the ſaid copies have been fraudulently returned or rebought, after the ſame ſhall have been ſold or diſpoſed of, or any profit or advantage made thereof, which oath or affirmation the

ſaid

ſaid commiſſioners, or the major part of them, and the ſaid head officers reſpectively, are hereby authorized to adminiſter and to examine upon oath or affirmation into all circumſtances relating to the ſelling or diſpoſing of ſuch printed copies; ſhall and may deliver or cauſe to be delivered the like number of other ſheets, half ſheets, or leſs pieces of paper, properly ſtamped with the ſame reſpective ſtamps, upon payment made for ſuch paper, but no duty ſhall be taken for the ſtamps thereon: and the ſaid commiſſioners for managing the ſtamp duties for the time being are hereby impowered from time to time to make ſuch rules and orders for regulating the methods and limiting the times for ſuch cancelling and allowance as aforeſaid with reſpect to ſuch news papers and pamphlets, as they ſhall upon experience and conſideration of the ſeveral circumſtances find neceſſary or convenient for the effectual ſecuring the duties thereon, and doing juſtice to the perſons concerned in the printing and publiſhing thereof.

like number of ſtamped ſheets delivered, paying for ſuch paper, but no duty,

neceſſary rules made from time to time as to ſuch cancelling and allowance.

XXIX. Provided always, and be it further enacted by the authority aforeſaid, that the ſaid commiſſioners and other officers for managing the ſtamped duties ſhall and may deliver to any perſon, by or for whom any almanack or almanacks ſhall be printed, paper marked or ſtamped according to the true intent and meaning hereof for the printing ſuch almanack or almanacks upon his or her giving ſufficient ſecurity to pay the amount of the duties hereby charged thereon within the ſpace of three months after ſuch delivery; and that the ſaid commiſſioners and officers, upon bringing to them any number of the copies of ſuch almanacks within the ſpace of three months from the ſaid delivery, and requeſt to him or them in that behalf made, ſhall cancel all the ſtamps upon ſuch copies, and abate to ſuch perſon ſo much of the money due upon ſuch ſecurity, as ſuch cancelled ſtamps ſhall amount to.

Paper for almanacks delivered on ſecurity for duties in 3 months,

ſtamps on copies brought in 3 months cancelled,

and ſo much abated.

XXX. Provided always, that where any almanack ſhall contain more than one ſheet of paper, it ſhall be ſufficient to ſtamp only one of the ſheets or pieces of paper, upon which ſuch almanack ſhall be printed, and to pay the duty accordingly.

Almanacks, only one ſheet ſtamped.

XXXI. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of *March*, one thouſand ſeven hundred and ſeventy four, in caſe any perſon or perſons ſhall ſell, hawk, carry about, utter, or expoſe to ſale any almanack or calendar, or any news paper, or any book, pamphlet, or paper deemed or conſtrued to be, or ſerving the purpoſe of, an almanack or news paper within the intention and meaning of this act, not being ſtamped or marked as by this act is directed, every ſuch perſon ſhall for every ſuch offence forfeit the ſum of forty ſhillings; to be recovered in a ſummary way before any juſtice of the peace, who is hereby authorized to hear and determine the ſame; and upon due proof and default of payment of the ſaid penalty to commit the offender to priſon for any time not exceeding one month without bail or mainprize.

Selling almanack or news unſtamped, 40s. ſummarily before a juſtice,

or impriſoned not above 1 month,

XXXII. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of March one thouſand ſeven hundred and ſeventy four all and every perſon and perſons, who ſhall print or publiſh, or cauſe to be printed or publiſhed, any advertiſement or advertiſements in any pamphlet, news paper, or other literary performance, ſhall within the ſpace of forty days after the printing or publication of ſuch advertiſement or advertiſements pay, or cauſe to be paid, the duty or duties thereon hereby charged to the reſpective perſons, to whom the ſame ought to be paid, that is to ſay, to the perſon to whom the ſame ſhall be appointed to be paid by the commiſſioners aforeſaid, or to his deputy or clerk, the duties for all ſuch advertiſements as ſhall be ſo printed or publiſhed within the city of Dublin, and to the next adjacent head officer for the time being, appointed for collection of the ſaid ſtamp duties, the ſaid duties hereby charged for and upon all ſuch advertiſements as aforeſaid, which ſhall be printed or publiſhed in any place out of the limits of the ſaid city; and the commiſſioners and officers laſt mentioned, or ſuch of them to whom it ſhall appertain, are hereby required upon payment of the duties hereby charged on ſuch advertiſements to give a receipt or receipts for the duty or duties hereby charged thereupon; and in default of

Duty on advertiſements paid in 40 days,

ſuch payment within the time herein before for that purpoſe limited the printer or publiſher of every ſuch advertiſement ſhall be liable to pay treble the duties before by this act chargeable thereupon, to be recovered with full coſts of ſuit.

or treble duty with full coſts.

XXXIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever ſhall at any time or times hereafter counterfeit or forge any ſtamp or mark to reſemble any ſtamp or mark; which ſhall be provided, made or uſed in purſuance of this act, or ſhall counterfeit or reſemble the impreſſion of the ſame upon any vellum, parchment, or paper, or other matter hereby directed to be ſtamped, thereby to defraud his Majeſty, his heirs and ſucceſſors, of any of the duties hereby granted, or ſhall utter, vend, or ſell any vellum, parchment, or paper, with ſuch counterfeit mark or impreſſion thereupon, knowing ſuch mark or impreſſion to be counterfeited, then every ſuch perſon ſo offending, and being thereof convicted in due form of law, ſhall be judged a felon, and ſhall ſuffer death as in caſes of felony without the benefit of clergy.

Forging ſtamp to defraud duty, or knowingly uttering or vending paper, &c. therewith, felony without clergy.

Salaries and incident charges paid out of duties,

XXXIV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for his Majeſty, and to and for the lord lieutenant, or other chief governor or governors of this kingdom for the time being, out of the duties ariſing by this act to cauſe ſuch ſum or ſums of money to be expended and paid from time to time for ſalaries and other incident charges, as ſhall be neceſſary in and for the receiving, collecting, levying, or managing of the ſame duties; any thing in this act contained to the contrary notwithſtanding.

Officers to keep ſeparate accounts,

XXXV. And be it further enacted by the authority aforeſaid, that all and every the officer and officers, who ſhall be concerned in the levying, collecting, and receiving the duties ariſing by this act, ſhall keep ſeparate and diſtinct accounts thereof; and that the ſeveral perſons, employed to collect and levy the ſaid duties in the city and county of Dublin, ſhall pay the ſame in ſpecie into his Majeſty's treaſury on the firſt Monday in every month, unleſs it be a holyday, and then the next day after which ſhall not be a holyday; and the ſeveral perſons, employed to collect and levy the ſaid duties in other parts of this kingdom, ſhall pay the ſame in like manner to the ſeveral collectors of the inland exciſe of the reſpective diſtricts, in which the ſame ſhall be received and collected; which ſaid collectors are hereby authorized and required to receive, and give receipts for the ſame, without fee or reward, and to keep diſtinct accounts thereof; and every ſtamp officer ſhall in ſix days after his making any payment into his Majeſty's treaſury, or to any of ſaid collectors, give notice of the amount of ſuch payments to the commiſſioners of ſtamps; and if the ſaid officers, or any of them, ſhall neglect or refuſe to pay the ſame at the time or in the manner aforeſaid, or ſhall detain all or any part of the monies by them collected and received, then for ſuch offence he or they ſhall be diſmiſſed from his or their employment, and be rendered incapable to ſerve his Majeſty, his heirs and ſucceſſors, and be charged with intereſt for the monies ſo detained in their hands after the rate of twelve pounds *per centum per annum*.

paid in ſpecie to treaſury 1ſt Monday monthly,

or to the exciſe collector,

notice of payment in 6 days to commiſſioners,

not paying, diſmiſſed, incapable, and 12 *per cent.* intereſt for money detained.

Diſtinct regiſter kept in treaſury.

XXXVI. And be it further enacted by the authority aforeſaid, that there ſhall be provided and kept in his Majeſty's treaſury one book, in which all monies, that ſhall be paid into the treaſury by virtue of this act, ſhall be entered and regiſtered apart and diſtinct from all other monies paid or payable to his Majeſty upon any account whatſoever.

Duties not collected by commiſſioners, officers to account once a year to commiſſioners for impreſt accounts,

examined upon oath,

XXXVII. And be it further enacted by the authority aforeſaid, that none of the duties granted by this act ſhall be received or collected by, or paid to, the ſaid commiſſioners of ſtamps; and that the ſeveral perſons, who ſhall be reſpectively employed in receiving, collecting, or paying the ſeveral duties by this act granted, ſhall and are hereby required once in every year during the continuance of this act to exhibit their reſpective accounts thereof to the commiſſioners for taking impreſt accounts for the time being, who ſhall and are hereby from time to time reſpectively authorized and required to examine upon oath the ſaid perſons

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accountants, who ſhall be employed in raiſing, receiving, or collecting the ſaid duties, what ſum or ſums of money was or were by them or any of them reſpectively raiſed, collected, or received within the time of ſuch their accounts, and likewiſe what part thereof was by them or any of them paid into the receipt of his Majeſty's treaſury, or to the collector of inland exciſe as aforeſaid; and in making the ſaid accounts to and before the ſaid commiſſioners they are to produce proper vouchers for any ſum or ſums of money, ſo by them raiſed, received, and paid, and the ſaid commiſſioners of impreſt accounts are hereby authorized and required finally to adjuſt and ſettle the ſaid accounts, and to give diſcharges to the ſaid ſeveral accountants:

and to produce vouchers.

XXXVIII. And be it further enacted by the authority aforeſaid, that when the accounts of the money received for the ſeveral duties ſhall have been ſo audited, the ſame ſhall be ſigned by the ſaid commiſſioners of accounts, and ſhall be at all times to the ſaid officers therein concerned a full and ſufficient warrant and diſcharge to all intents and purpoſes.

Accounts ſo audited ſigned, and a full diſcharge.

XXXIX. And be it further enacted by the authority aforeſaid, that all penalties incurred by this act, unleſs otherwiſe directed by this act, may be recovered by any perſon, who ſhall ſue for the ſame, by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin, in which no eſſoign, protection, privilege, or wager of law, or more than one imparlance ſhall be allowed.

Penalties, not otherwiſe directed, to proſecutor.

XL. And be it further enacted by the authority aforeſaid, that neither the ſix pence *per* pound, nor any other fee, ſhall be payable to or deducted or received by, the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for, or on account of the aids hereby granted to his Majeſty, or of any payment to be made in purſuance of this act, but that the ſame ſhall be duly accounted for to his Majeſty, his heirs and ſucceſſors.

No fees deducted,

duly accounted for.

CHAP. VII.

An act to explain and amend an act paſſed in this ſeſſion of parliament, entitled, *an act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds.*

WHEREAS the annuities payable by an act, entitled, *an act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*, are to be paid by the hands of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies: and whereas it hath been found ſince the paſſing of the ſaid act, that ſeveral perſons in Great Britain have been diſcouraged from ſubſcribing on account of the trouble and expence, which may be occaſioned by obtaining remittances of their annuities to Great Britain: to remove this diſcouragement, and to place the ſubſcribers

Annuities payable by c. 5 ſ. 1. to vice treaſurers, &c.

ſubſcribers in *G. Britain* diſcouraged by the remittance,

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ſcribers in Great Britain and Ireland upon an equal footing, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful to and for the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, from time to time to appoint one or more perſon or perſons to pay in the city of London the annuities mentioned in the ſaid act according to rate, that money is current for in Ireland, for ſuch ſums as have been or ſhall be ſubſcribed, and for which the perſon intitled to receive ſaid annuity ſhall at the time of compleating his ſubſcription declare his intention of receiving his ſaid annuity in the city of London, which ſaid annuities ſhall be paid without any deduction, abatement, or charge whatſoever either for exchange or otherwiſe.

to put them on equal footing,

chief governors may appoint perſons to pay in *London Iriſh* currency without exchange or other charge,

intent to receive annuity in *London* declared on ſubſcription.

II. And be it enacted by the authority aforeſaid, that the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, ſhall from time to time out of the duties, rates, impoſitions, and taxes granted by an act paſſed this ſeſſion of parliament for the payment among other things of the ſaid annuities, remit to the perſon or perſons ſo appointed as aforeſaid ſums of money ſufficient for the punctual and regular payment of the ſaid annuities in the city of London at the times mentioned in the ſaid act without any charge, deduction, or abatement whatſoever.

remittances out of duties for punctual payment in *London* without charge.

III. And be it enacted by the authority aforeſaid, that whatever expences ſhall be incurred by ſending or remitting from time to time the ſaid ſeveral annuities from this kingdom to the city of London, and the payment of the ſame there, ſhall be charged upon the ſaid duties, rates, impoſitions, and taxes granted by the ſaid laſt mentioned act of parliament; and that whatever profit ſhall be made in the way of exchange by remitting the ſaid ſums, or any of them, ſhall be brought to the credit of the nation.

Expence of remittance charged on duties,

profit in exchange to national credit.

IV. And be it enacted by the authority aforeſaid, that the perſon or perſons ſo to be appointed as aforeſaid may, whenever he or they ſhall think proper to demand the ſame, require from the ſaid ſubſcriber or ſubſcribers in the city of London, his, her, or their executors, adminiſtrators, or aſſigns, unleſs the nominee appear in perſon at the time of demanding the annuity, ſuch certificate of the life of his, her, or their reſpective nominee, ſigned by the miniſter, or in his abſence by the curate of the pariſh,

Such appointee may require the miniſter or curate's certificate of nominee's life

pariſh, where ſuch nominee ſhall be living, on the day when the half yearly payment ſhall have become due, in the like manner as the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, may do in caſes, where the nominee ſhall be reſiding in the kingdom of Ireland; and the ſaid perſon or perſons ſo to be appointed as aforeſaid ſhall from time to time by all lawful ways and means in his or their power examine touching the exiſtence, and uſe his or their beſt endeavours to diſcover the deaths, of any of the nominees of the ſaid ſubſcribers in London, and ſhall immediately after ſuch diſcovery communicate the ſame to the office of his Majeſty's treaſury in this kingdom.

ſhall endeavour to diſcover the death, and immediately communicate to treaſury.

V. And be it enacted by the authority aforeſaid, that ſuch perſon or perſons, ſo to be appointed as aforeſaid, ſhall once in every year tranſmit to the office of your Majeſty's treaſury in this kingdom an account of all ſuch annuities, as he or they ſhall pay in purſuance of this act, diſtinguiſhing the reſpective times of payment, and the perſons to whom the ſame have been paid.

And yearly tranſmit account of payments, times, and perſons.

VI. And be it enacted by the authority aforeſaid, that the time for making the firſt payment by any perſon, who ſhall ſubſcribe or has ſubſcribed towards raiſing the ſaid ſum, not exceeding the ſum of two hundred and ſixty five thouſand pounds, ſhall be enlarged to the thirty firſt day of March one thouſand ſeven hundred and ſeventy four.

Firſt payment of ſubſcription enlarged to 31 March 1774.

VII. And be it enacted by the authority aforeſaid, that this act ſhall continue until the twenty fifth day of December, which ſhall be in the year one thouſand ſeven hundred and ſeventy five, and no longer.

continued to 25 Dec. 1775 *to* 1777 *by* 15 & 16 *G.* 3. *c.* 1. *ſ.* 22. *to* 1779 *by* 17 & 18 *G.* 3. *c.* 2. *ſ.* 24. *to* 24 *June* 1780 *by* 17 & 18 *G.* 3. *c.* 2. *ſ.* 33. *to* 25 *Dec.* 1781 *by* 19 & 20 *G.* 3. *c.* 10. *ſ.* 20.

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CHAP. VIII.

An act for continuing and amending ſeveral laws now in force relating to his Majeſty's revenue, and for the more effectually preventing frauds therein.

Recital 14 & 15 C. 2. c. 8. ſ. 42.

WHEREAS by an act paſſed in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, it is amongſt other things enacted for the more regular and orderly putting in execution the ſaid act, that there ſhall be an office conſtituted and erected in the city of Dublin, to be called and known by the name of the office of exciſe or new impoſt, and to be managed and governed by commiſſioners, not exceeding five in number, and alſo a ſurveyor, all to be appointed by the lord lieutenant, lord deputy, or other chief governor or governors of Ireland for the time being, and to be commiſſioned under the great ſeal of this his Majeſty's realm; which ſaid commiſſioners, or any three or more of them, ſhall have power, and are thereby authorized from time to time with the approbation of the lord lieutenant, lord deputy, or other chief governor or governors of Ireland for the time being, to chooſe and appoint ſuch fitting clerks, ſearchers, waiters, meſſengers, and all other officers for the city, ſuburbs, and liberties of Dublin, and the port of Dublin, and the ſeveral creeks and members thereof, as they may neceſſarily have occaſion to employ for the advantage of his Majeſty's ſervice; and the ſame again from time to time with the approbation aforeſaid to diſplace, and place others in their room, and to allow them, and every of them ſuch yearly wages to be paid quarterly out of the receipts of the ſaid office, and other accidental rewards for their pains and ſervices, as the ſaid commiſſioners or the maior part of them ſhall think fit and reaſonable, and as ſhall be allowed and approved of by the lord deputy, or other chief governor or governors of Ireland for the time being as aforeſaid; and for all the other cities, counties, and parts of this kingdom, and the ſeveral creeks and members thereof, excepting the city, ſuburbs, and liberties of Dublin, and the port of Dublin, and the creeks and members thereof, that the lord treaſurer of Ireland for the time being ſhall have power and is thereby authorized from time to time to chooſe and appoint ſuch fitting clerks, ſearchers,

waiters, and meſſengers, as they may neceſſarily have occaſion to employ for the advantage of his Majeſty's ſervice; and the ſame again from time to time to diſplace, and place others in their room, and to allow them and every of them ſuch yearly wages to be paid quarterly out of the receipts of the ſaid office, and other accidental rewards for their pains and ſervices, as the ſaid lord treaſurer ſhall think fit and reaſonable, and as ſhall be allowed and approved of by the lord deputy, or other chief governor or governors of Ireland for the time being as aforeſaid: and whereas by the ſaid act it is likewiſe enacted, that all pariſhes, parts, and places of the city and county of the city of Dublin, and county of Dublin, and all and every the baronies, parts, and places of the ſame, ſhall be ſubject to the rule and government of the ſaid office: and whereas it is by the ſaid act likewiſe enacted, that the like office and offices, and ſo many of them, and in them ſuch and ſo many ſubordinate commiſſioners, ſub-commiſſioners, or collectors, from time to time ſhall be nominated and appointed in all or any of the counties in this realm, and in all other cities, towns, parts, and places thereof, as the ſaid commiſſioners or the major part of them, ſhall from time to time think fitting, to be approved of by the lord lieutenant, lord deputy, or other chief governor or governors and privy council of Ireland for the time being, which ſaid commiſſioners, ſubordinate commiſſioners, ſub-commiſſioners, or collectors, ſhall have for their ſeveral pains in and about the ſaid buſineſſes ſuch reaſonable ſums of money allowed them by way of poundage or otherwiſe, as the lord lieutenant, lord deputy, or other chief governor or governors, and privy council of Ireland ſhall think fit: and whereas the lord treaſurer of Ireland hath generally reſided out of this kingdom, by means whereof all clerks, ſearchers, waiters, meſſengers, or other officers, ſo to be choſen and appointed by him, have, been conſtantly choſen and appointed by the chief commiſſioners of exciſe of this kingdom: and whereas the ſubordinate commiſſioners, ſub-commiſſioners, and collectors of exciſe, ſo to be approved of by the lord lieutenant, lord deputy, or other chief governor or governors, and privy council as aforeſaid, have been for many years laſt paſt appointed and have acted without the approbation of the ſaid privy council, by which the legality of ſuch appointments may be called in queſtion: and whereas the queſtioning ſuch appointment may be productive of many inconveniencies to the revenue and to the publick: and whereas the appointments by the lord treaſurer, and the approbation by the privy council, have been found inexpedient: therefore, to obviate and remove all queſtions

14 & 15 *C.* 2. c. 8. ſ. 44, 45.

lord treaſurer generally reſiding out of the kingdom, officers have been conſtantly appointed by exciſe commiſſioners, and ſub-commiſſioners, &c. appointed and acted without approbation of privy council, to remove all doubt of the legality thereof, and eſtabliſh the paſt practice as moſt convenient,

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queſtions which have ariſen, or may at any time hereafter ariſe, touching the legality of ſuch appointments, and the authority of the ſeveral officers who have acted, or who continue to act, under them, and to eſtabliſh for the future the courſe and practice which have prevailed, and for many years paſt have been found convenient, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that all appointments of ſubordinate commiſſioners, ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers in the exciſe, heretofore made or to be made on or before the twenty fourth day of June one thouſand ſeven hundred and ſeventy four by the chief commiſſioners of his Majeſty's exciſe, or any three of them, and all judgments, orders, ſeizures, acts, and things given, made, or done, or to be made or done, by the ſaid ſubordinate commiſſioners, ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers, ſhall be valid, good, and effectual in law notwithſtanding any informality, inſufficiency, or defect in the appointment of ſuch ſubordinate commiſſioners, ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers, as fully as the ſame would have been, if there had been no ſuch informality inſufficiency, or defect in ſuch appointment, and no further.

all appointments of exciſe officers on or before 24 June 1774 by chief commiſſioners, and all acts by them valid as if no informality or defect in appointment.

II. And be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four all and every the ſubordinate commiſſioners, ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers in the exciſe hereafter to be appointed, and all appointments of the ſaid officers hereafter to be made, ſhall be by the chief commiſſioners of exciſe, or any three or more of them, under their hands and ſeals with the approbation of the lord lieutenant, lord deputy, or other chief governor or governors of this kingdom for the time being; and the ſaid commiſſioners, or any three of them, with the approbation of the lord lieutenant, or other chief governor or governors for the time being, ſhall have full power to diſplace the ſaid officers or any of them from time to time, and place others in their room, and to allow them and every of them ſuch ſeveral yearly wages, to be paid them quarterly out of the receipts of the ſaid office, and other accidental rewards for their pains and ſervices, as they ſhall think fit, to be alſo paid them out of the receipts of the ſaid office; ſuch officers ſo to be appointed to be

Appointments of exciſe officers ſhall be by chief commiſſioners or any 3 under hand and ſeal with C. governor's approbation,

with power to diſplace,

and allow wages quarterly, and accidental rewards,

officers ſworn as before,

be admitted and ſworn into their reſpective offices as heretofore, and to have the ſame powers and authorities, and to be ſubject to the ſame forfeitures, penalties, ſuſpenſions, removals, and regulations, in all other reſpects, as is and are provided by the ſaid act, or any other act or acts of parliament relating to ſuch officers reſpectively.

the ſame powers and penalties as by 14 and 15 *C.* 2. c. 8. or other acts.

III. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy four the ſaid commiſſioners, ſubordinate commiſſioners, ſub-commiſſioners, or collectors, ſhall have for their ſeveral pains in and about the ſaid buſineſſes ſuch reaſonable ſums of money allowed them by way of poundage or otherwiſe, as the lord lieutenant, lord deputy, or other chief governor or governors of Ireland for the time being ſhall think fit.

To have allowance by poundage or otherwiſe as by C. governor.

IV. And whereas the officers of his Majeſty's revenue in the due execution of their duty have been frequently obſtructed, and violently aſſaulted and wounded, to the hazard and ſometimes to the loſs of their lives, in defiance of the laws of the realm, to the terror of his Majeſty's ſubjects, and the breach and diſturbance of the public peace: and whereas it is expedient and abſolutely neceſſary effectually to execute the powers intended to be given by the laws now in force, and to prevent the ſaid recited evils in future: therefore, and for the better ſecuring and protecting the trade and collecting the revenues of this realm, be it enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy four all juſtices of the peace, mayors, ſheriffs, portrieves, bailiffs, ſovereigns, conſtables, headboroughs, and all the King's Majeſty's officers, miniſters, and ſubjects whatſoever, ſerving under his Majeſty by commiſſion, warrant, or otherwiſe, ſhall be aiding and aſſiſting to all and every perſon and perſons, who are or ſhall be appointed to manage or collect his revenues, and the officers of thoſe revenues reſpectively, and their reſpective deputies, in the due execution of all and every act and thing required and enjoined by this or any act or acts of parliament made in this kingdom relative to the revenue of the ſame; and all ſuch perſons, as ſhall be aiding and aſſiſting unto them in the due execution thereof, ſhall be defended and ſaved harmleſs by virtue of this act; and the proper officers of his Majeſty's court of exchequer in Ireland are hereby authorized, upon application made to them by any known ſollicitor of his Majeſty's revenues, or any of them reſpectively, upon his producing

All magiſtrates, conſtables, officers, &c. ſhall aſſiſt revenue officers in executing this or any other revenue act.

ſaved harmleſs,

writs of aſſiſtance under exchequer ſeal on application of revenue ſollicitor on order of 3 commiſſioners.

producing an order, ſigned by the chief commiſſioners of his Majeſty's revenue, or any three or more of them, to iſſue writs of aſſiſtance under the ſeal of his Majeſty's court of exchequer to authorize the officers of his Majeſty's revenues to require and demand the aid and aſſiſtance of his Majeſty's officers, and all other perſons as herein before mentioned.

Not uſed by officer under ſurveyor, unleſs ſigned by ſuperior at leaſt a ſurveyor.

V. And be it enacted by the authority aforeſaid, that the ſaid writs of aſſiſtance ſhall never be made uſe of by any officer under the degree of a ſurveyor, unleſs ſuch officer ſhall have a written order, ſigned by ſome ſuperior officer of the revenue of the degree at leaſt of a ſurveyor.

Such revenue officers or aſſiſtants may plead general iſſue and give this or other revenue act in evidence.

VI. And be it further enacted by the authority aforeſaid, that if any action, indictment, ſuit, or other proſecution ſhall be brought or commenced againſt any officer or officers of the ſaid revenues, or any of them, or any other perſon or perſons acting in their aid or aſſiſtance in purſuance of this act, or any other act made in this kingdom relative to the revenues thereof, it ſhall and may be lawful for ſuch officer or perſon ſo proſecuted to plead the general iſſue, and to give this or ſuch other acts and the ſpecial matter in evidence in any of his Majeſty's courts of juſtice, or other courts where ſuch ſuit or proſecution ſhall be depending; and the judges of the ſaid courts are hereby required to admit the ſame.

Metal plates, as directed by 3 commiſſioners numbered, ſent to collectors to be delivered to perſons certifying carriages purſuant to 13 and 14 *G.* 3. c. 1. and c. 2.

VII. And whereas the duties upon carriages have not been effectually or properly collected: be it enacted by the authority aforeſaid, that ſmall pieces or plates of braſs or other metal ſhall be prepared by the direction of the chief commiſſioners of his Majeſty's revenue, or any three or more of them, numbered in arithmetical progreſſion, beginning with number one, with ſuch mark or marks thereupon, as the ſaid commiſſioners ſhall think proper, to diſtinguiſh and identify the ſame; and that a ſufficient number of the ſaid plates, ſo marked and numbered as aforeſaid, ſhall be ſent to the collector of every diſtrict in this kingdom to be by him delivered out to every perſon, who has certified or ſhall certify any coach, chariot, berlin, calaſh, or chaiſe upon four wheels, or chaiſe with two wheels, purſuant to an act made in this kingdom this ſeſſion of parliament, entitled, *An act for granting unto his Majeſty a duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, except of the manufacture of Great Britain*; and alſo purſuant to a further act made in this kingdom this ſeſſion of parliament, entitled,

An act for granting unto his Majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to pay an intereſt at the rate of four per centum per annum, *for ſuch part of the ſeveral principal ſums formerly borrowed as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and to apply the ſurplus of the ſaid duties in ſuch manner, and for ſuch purpoſes as ſhall be directed by parliament*; which plate ſhall be fixed upon the tranſom of every ſuch coach, chariot, berlin, calaſh, or chaiſe.

and fixed on the tranſom.

VIII. And be it enacted by the authority aforeſaid, that if any ſuch coach, chariot, berlin, calaſh, or chaiſe, ſhall from and after the twenty fourth day of June next be found, except hackney or ſtage carriages, and carriages kept by coach makers for ſale, and hackney chaiſes, and chaiſes with two wheels, kept by the makers for ſale, without ſuch plate ſo fixed as aforeſaid, the want of ſuch plate ſo fixed as aforeſaid ſhall be deemed ſufficient evidence that ſuch coach, chariot, berlin, calaſh, and chaiſe upon four wheels, and chaiſe with two wheels, has not been certified, as is required by the ſaid act; and every owner of ſuch coach, chariot, berlin, calaſh, or chaiſe, ſhall without further evidence be liable to the penalties inflicted by the ſaid acts upon any perſon, who ſhall neglect to certify in the manner directed by the ſaid acts, to be recovered as by the ſaid acts are directed, unleſs ſuch owner ſhall prove, that ſuch coach had been duly certified purſuant to the ſaid acts paſſed this ſeſſion of parliament, and that ſuch plate as aforeſaid had been fixed thereupon purſuant to this act.

Want of ſuch plate evidence of not certifying, and owner liable as by ſaid acts, unleſs proved.

IX. And whereas the ſeveral laws, heretofore made to prevent frauds in his Majeſty's revenue of cuſtoms and exciſe, have proved ineffectual to anſwer the purpoſes thereby intended, by reaſon of many ſecret, clandeſtine, and other pernicious practices made uſe of to evade the ſame: be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four it ſhall and may be lawful for any one or more of the chief commiſſioners of exciſe to hear and determine all complaints, that ſhall be made againſt any perſon or perſons, who ſhall ſell any wine, cyder, beer, or ale by retail without licence firſt had and obtained for the ſelling thereof, and to order and direct to be levied all forfeitures, fines, and penalties, that ſhall or may be incurred by any perſon or perſons for doing thereof without licence as aforeſaid, in the ſame manner, and as effectually to all intents, conſtructions, and purpoſes, as any three or more of the ſaid chief

One commiſſioner of exciſe may determine complaints againſt retailing liquors without licence, and direct penalties, as effectual as any 3 now are impowered,

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chief commiſſioners of exciſe are now impowered by law to do, with the like remedy of appeal to and for the party or parties who ſhall think him, her, or themſelves aggrieved or injured, as hereafter is mentioned.

with appeal,

No diſtiller to alter poſition of back or cooler without written notice to the exciſe officer,

X. And be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeventy four no common diſtiller of ſpirits for ſale ſhall alter or permit, or ſuffer the ſituation, poſition, or dipping place of any back or cooler, by him or her made uſe of, to be altered, after the ſame has been fixed by the proper officer, without firſt giving notice thereof in writing to the ſurveyor, or other officer of exciſe of the diſtrict or diviſion, wherein he or ſhe ſhall reſide, under the penalty of five pounds ſterling for every ſuch offence, the ſame to be recovered and levied in manner herein after mentioned.

penalty 5l.

Diſtillers,

to prevent frauds in carriage of ſpirits, &c.

permits for ſpirits or ſtrong waters ſhall expreſs chriſtian and ſirname and reſidence of conſignee,

XI. And whereas many frauds have been practiſed in the carriage of ſpirits and ſtrong waters from the places, where they were diſtilled, to the place or places where the ſame were intended to be ſent, or alledged to be ſent: for remedy whereof be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four all permits or let paſſes for the carriage of ſpirits or ſtrong waters from one place to another ſhall expreſs the chriſtian and ſirname of the perſon or perſons, to whom the ſame ſhall be ſent or conſigned, and the place of his or their reſidence; and the ſpirits, or ſtrong waters, mentioned in ſuch permit or let paſs, ſhall be delivered as directed in ſuch permit or let paſs, and at no other place or places whatſoever; and if ſuch ſpirits or ſtrong waters ſhall be delivered to any other perſon, except the perſon or perſons mentioned in ſuch permit or let paſs, or his or their known ſervants, or at any other place or places than thoſe mentioned in ſuch permit or let paſs, or if afterwards carried from the place of the firſt delivery to any other place without renewal of the permit, then, and in either of the ſaid caſes, the ſpirits or ſtrong waters, and the caſk and veſſel in which the ſame are contained, ſhall be forfeited, in the ſame manner as if no permit had been at any time granted for the ſame.

delivered at no other place,

if otherways, or at other place without renewal, forfeited with the caſk, as if no permit.

Diſtillers,

veſſels licenced by a commiſſioner,

in market towns by 15 & 16 *G.* 3. *c.* 15. *ſ.* 23.

XII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy four no perſon or perſons whatſoever ſhall have or keep in his, her, or their cuſtody or poſſeſſion, or ſhall make uſe of, any ſtill, blackpot, alembeck, or other veſſel, for making or diſtilling of any ſpirits or ſtrong waters,

waters, before he or ſhe ſhall be licenced thereunto by one or more of the chief commiſſioners of his Majeſty's revenue of exciſe, and ſhall, before the ſame be ſet at work, be entered and regiſtered in the office of exciſe of the diſtrict, wherein ſuch ſtill, blackpot, alembeck, or other veſſel is intended to be ſet at work, which entry or regiſtry ſhall contain the chriſtian and ſurname of the perſon, to whom ſuch ſtill, blackpot, alembeck, or other veſſel ſhall belong, and the true contents of the ſame, and the place where ſuch ſtill, blackpot, alembeck, or other veſſel is fixed or intended to be fixed, and the day of the month and year when ſuch regiſtry is made; and the officer of exciſe ſhall thereupon grant a certificate thereof to the perſon or perſons making an entry of the ſame; and if any ſtill, blackpot, alembeck, or other veſſel uſed for making or diſtilling of ſpirits or ſtrong waters, ſhall after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy four be found or diſcovered in the houſe or poſſeſſion of any perſon or perſons (other than and except a braſier, or other manufacturer in metal) not entered or regiſtered in manner aforeſaid, then every ſuch ſtill, blackpot or alembeck, or other veſſel, uſed for making or diſtilling of ſpirits or ſtrong waters, ſhall be forfeited and ſeized; and all the waſh and pot-ale, which ſhall be found therein, ſhall be ſpilled; and all low wines and ſtrong waters, which ſhall be found therein, ſhall likewiſe be forfeited.

regiſtered, before ſet at work, in the diſtrict, with owner's chriſtian and ſurname, contents, place, and time,

officer's certificate thereof,

found not regiſtered, (ſave of braſier or metal manufacturer) forfeited, with the contents,

the waſh ſpilled.

XIII. Provided always, that nothing herein contained ſhall extend or be conſtrued to extend to ſuch ſtills, blackpots, or alembecks of the dimenſion of twelve gallons or under, as have been or ſhall be licenced by the commiſſioners of his Majeſty's revenue of exciſe, or any three or more of them, for the purpoſe of diſtilling certain waters commonly called medicinal waters, or for making experiments and diſcoveries in natural philoſophy, any thing herein contained to the contrary notwithſtanding.

Licenced ſtills, 12 gallons or under, for medicinal waters or philoſophical experiments, excepted.

XIV. And whereas by an act made in the eighth year of his preſent Majeſty's reign, entitled, *An act for the further improvement of his Majeſty's revenue, and for continuing and amending ſeveral acts therein particularly mentioned*, it is amongſt other things enacted, that there ſhall be payable to his Majeſty, his heirs and ſucceſſors, for every licence to be granted for ſelling aquavitæ or any kind of ſtrong waters or ſpirits whatſoever by retail in the city of Dublin, and within four miles of the tholſel of the ſaid city, as well within the franchiſes and liberties as without, ſuch ſum as ſhall be agreed to be paid for ſuch licence purſuant to the

8 *G.* 3. c. 27. ſ. 9. 6l. yearly, thereby required for licence, more than in many inſtances can be afforded, and revenue diminiſhed,

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the directions of an act of the ſeventeenth and eighteenth of Charles the ſecond, in the ſaid act recited, ſo as none do pay leſs than the ſum of ſix pounds yearly, and none be compelled to pay more than ten pounds yearly: and whereas it has been found by experience, that in many inſtances the ſum of ſix pounds is a greater ſum, than ſeveral perſons applying for licences can afford to pay, which has conſiderably diminiſhed his Majeſty's revenue: therefore be it enacted by the authority aforeſaid, that from and after the paſſing of this act it ſhall and may be lawful to and for the chief commiſſioners of exciſe, or the major part of them, to iſſue and grant licences for the ſelling of ſpirits and ſtrong waters by retail in the city of Dublin, and within four miles of the tholſel of the ſaid city, for ſuch ſum as they in their diſcretion ſhall think fitting and reaſonable under the circumſtances of the caſe, ſo as no licence be granted for a leſs ſum than three pounds yearly, nor a greater ſum required or taken than ten pounds yearly; the ſaid recited act or any other law to the contrary notwithſtanding.

commiſſioners may grant licences to retail ſpirits and ſtrong waters in *Dublin*, & 4 miles by diſcretion, not under 3l. yearly nor above 10l. notwithſtanding 8 *G.* 3. c. 27. ſ. 9. or other law.

XV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy four ſell any wine, brandy, or ſpirits of any kind whatſoever by retail in any houſe, ſhop, or room, or at any fair, aſſizes, or ſeſſions, or other place whatſoever, without a licence or licences firſt had and obtained for the ſelling thereof; the perſon or perſons ſo offending therein ſhall for every offence by him or her committed contrary to the true intent and meaning of this act forfeit a ſum not exceeding the ſum of five pounds, over and above all other penalties payable for the like offence by any law or laws now in force in this kingdom.

Retailing wine or any ſpirits without licence, 5l. above all other penalties.

XVI. And to prevent the inconveniencies, that may ariſe from magiſtrates granting certificates partially or corruptly, be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four all magiſtrates, who uſually ſell beer, ale, or ſtrong waters in cities, counties of cities, boroughs, counties of towns, or towns corporate, ſhall be diſqualified from granting certificates to entitle any perſon or perſons to obtain licences for the ſelling or retailing of the ſame; and that any magiſtrate, who ſhall take, or knowingly ſuffer to be taken, any fee or reward for granting a certificate to any perſon or perſons to obtain a licence for ſelling beer, ale, wine, or ſtrong waters, ſhall for every ſuch offence upon being convicted thereof forfeit the ſum of fifty pounds,

Magiſtrates uſually ſelling beer, ale, or ſtrong waters, in cities, &c. not to grant certificates for licence to ſell or retail,

and taking any reward for certificate, or knowingly ſuffering, forfeit 50l. to King and informer.

one moiety to his Majeſty, and the other moiety to the informer.

No duty for juniper berries or the oil imported.

XVII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June there ſhall be no duty whatſoever paid to his Majeſty, his heirs and ſucceſſors, for or on account of any juniper berries, or any oil extracted from juniper berries, imported into this kingdom.

Duties on import of brimſtone or ſaltpetre, uſed in extracting oil of vitriol or aquafortis for linen manufacture, repaid on affidavit thereof;

XVIII. And for the better encouragement of the making of oil of vitriol and aquafortis in this kingdom for the uſe of the linen manufacture be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June next, where any perſon ſhall import crude brimſtone or ſaltpetre, and ſhall make uſe of the ſame in extracting therefrom oil of vitriol or aquafortis for the uſe of the linen manufacture of this kingdom, ſuch perſon ſhall be entitled to receive, and the collector of the port or diſtrict within which ſuch crude brimſtone and ſaltpetre ſhall have been imported, ſhall repay to ſuch perſon, all ſuch duties as have been paid by him on the importation thereof, on his making it appear by affidavit to ſuch collector that ſuch crude brimſtone and ſaltpetre have been uſed in making vitriol or aquafortis, and that ſuch vitriol or aquafortis have been made uſe of, ſold, or diſpoſed of by him for the uſe of the linen manufacture of this kingdom, and for no other purpoſe.

XIX. And be it further enacted by the authority aforeſaid, that an act made in the thirty third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the then laſt ſeſſion of parliament, entitled, an act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued thereby*, and alſo one other act made in the ſecond year of his preſent Majeſty's reign, entitled, *An act for continuing and amending an act, entitled, an act for the better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the then laſt ſeſſion of parliament, entitled, an act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act and continued thereby*, and alſo one other act made in the third year of his preſent Majeſty's reign, entitled, *An act for continuing and amending*

33 *G.* 2. c. 10.

2 *G.* 3. c. 7.

3 *G.* 3. c. 21.

two

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two ſeveral acts of parliament therein mentioned, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and for other purpoſes therein mentioned, and alſo one other act made in the fifth year of his preſent Majeſty's reign, entitled, *An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectual preventing of frauds therein, and for other purpoſes therein mentioned*, and alſo one other act made in the ſeventh year of his preſent Majeſty's reign, entitled, *An act for the further improvement of his Majeſty's revenue, and for continuing and amending ſeveral acts therein particularly mentioned*, and alſo one other act made in the eleventh and twelfth years of his preſent Majeſty's reign, entitled, *An act for the further improvement of his Majeſty's revenue, and the more effectual preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force relative to his Majeſty's ſaid revenue*, and all and every the clauſes therein reſpectively contained (except ſuch parts thereof as are altered, repealed, or amended by this preſent act, or by any or either of the ſaid recited acts) ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy four, and from thence to the end of the then next ſeſſion of parliament, and no longer.

5 *G.* 3. c. 15.

7 *G.* 3. c. 27.

11 & 12 *G.* 3. c. 7.

ſave as altered, repealed, or amended, continued 2 years from 24 *June*, 1774, &c. and *by* 15 & 16 *G.* 3. *c.* 15. *ſ.* 30.

XX. And be it further enacted by the authority aforeſaid, that all and every the fines, penalties, and forfeitures, inflicted by this act or by the ſaid ſeveral acts of parliament herein before laſt particularly mentioned or recited, or by any of them (other than and except ſuch as by this act, or by any of the ſaid recited acts of parliament herein before laſt mentioned are otherwiſe provided for) ſhall and may be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and means, and with ſuch powers and authorities, as are preſcribed, directed, and appointed in and by an act of parliament made in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, as fully and effectually to all intents, conſtructions, and purpoſes, as if the ſame were particularly mentioned and expreſſed and re-enacted in the body of this preſent act, with the like remedy of appeal to and for the party or parties, who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid act of exciſe is provided.

All penalties by this or ſaid acts, (ſave as otherwiſe provided) levied and applied as by 14 & 15 *C* 2. c. 8. with like appeal.

XXI. Provided always, and be it enacted by the authority aforeſaid, that this act and the ſeveral proviſions hereby made, ſhall

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ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy four, and from thence to the end of the then next ſeſſion of parliament, and no longer; except ſuch parts of the ſame as relate to the making good and effectual the appointments of ſuch ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers in the exciſe, heretofore made by the chief commiſſioners of his Majeſty's exciſe, or any of them, and all acts and things done by the ſaid officers, or any of them; and ſave and except what relates to the future appointment of the ſaid officers of exciſe, or any of them, and to their ſalaries, and other accidental rewards for their pains and ſervices, and all acts and things to be done by them, or any of them; which ſaid ſeveral parts of this act ſo excepted as aforeſaid ſhall be perpetual.

Continued 2 years, &c. from 24 June 1774, except as to appointment of or acts by exciſe officers, their ſalaries, &c. as to which perpetual.

CHAP. IX.

An act for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools.

WHEREAS the continuing the encouragement formerly given to Engliſh proteſtant ſchools will be of great benefit to this kingdom, and it is reaſonable, that ſome publick fund ſhould be applied and ſet apart for that purpoſe: be it enacted by the King's moſt excellent majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of March one thouſand ſeven hundred and ſeventy-four until the twenty fifth day of March one thouſand ſeven hundred and ſeventy-ſix there ſhall be anſwered and paid unto his majeſty, his heirs and ſucceſſors, by every hawker, pedlar, petty chapman, or other trading perſon or perſons going from town to town or to other mens houſes, fairs, marts, or markets, and travelling either on foot or with horſe, horſes, or otherwiſe, in this kingdom (except as hereinafter mentioned) carrying to ſell or expoſing to ſale, any goods, wares or merchandizes (except as hereinafter mentioned) a duty of twenty ſhillings by the year; and that every perſon ſo travelling with a horſe, aſs, or mule, or any other beaſt bearing or drawing burthen, ſhall pay the ſum of twenty ſhillings by the year from the twenty fifth day of March one thouſand ſeven hundred and ſeventy four to the twenty fifth day of March one thouſand ſeven hundred and ſeventy ſix for each horſe, aſs, or mule, or other beaſt or beaſts bearing or drawing burthen he or ſhe ſhall ſo travel with, over and above the ſaid firſt mentioned duty of twenty ſhillings by the year; which ſaid rates and duties ſhall be collected by ſuch perſon and perſons, and in ſuch manner, and by ſuch ways and means, as the duty payable for licences to keep alehouſes is raiſed and collected by virtue of an act made in this kingdom in the thirty third year of the reign of his late Majeſty king George the ſecond, intituled, *an act for better regulating the collection of his Majeſty's revenue and for preventing of frauds therein, and for repealing an act made in the then laſt ſeſſion*, intituled, *an act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeve-*

Hawkers and pedlars to pay 20s. yearly from 25 March 1774 to 1776,

and 40s. for every beaſt bearing burthen,

collected as alehouſe licences by 33 G. 2. c. 10. ſ. 33.

ral acts and ſtatutes which are mentioned in the ſaid act and continued thereby, as fully to all intents and purpoſes as if the proviſions in the ſaid act for that purpoſe were particularly mentioned and expreſſed and enacted again in the body of this preſent act.

Note of intended manner of travelling given yearly to collector,

II. And be it enacted by the authority aforeſaid, that every pedlar, hawker, petty chapman, and other trading perſon or perſons, ſo travelling as aforeſaid, ſhall before the twenty fifth day of March one thouſand ſeven hundred and ſeventy four, and ſo likewiſe in every year, deliver or cauſe to be delivered, to the collector of exciſe of the diſtrict, where he or ſhe ſhall reſide or dwell, a note in writing under his or her hand, or under the hand of ſome perſon by her or him authorized in that behalf, how or in what manner he or ſhe intends to travel and trade, whether on foot or with one or more horſe or horſes, aſs or aſſes, mule or mules, or other beaſt or beaſts bearing or drawing burthen; and thereupon a licence or licences ſhall be granted by ſuch collector unto him or her for his or her ſo travelling and trading, for which he or ſhe ſhall thereupon pay or cauſe to be paid for each licence unto ſuch collector the yearly duty herein before directed to be payable for the ſame.

licenced thereon,

Trading without or contrary to licence, 5l.

III. And be it enacted by the authority aforeſaid, that if any ſuch hawker, pedlar, petty chapman, or other perſon, from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy four be found trading as aforeſaid without, or contrary to, or not warranted by, ſuch licence or licences, ſuch perſon ſhall for each and every ſuch offence forfeit the ſum of five pounds; one moiety thereof to the informer, and the other moiety to the Incorporated Society in Dublin for promoting Engliſh proteſtant ſchools in Ireland; and that if any perſon ſo trading upon demand made by any officer or officers to be appointed by the ſaid ſociety in purſuance of this act, or any revenue officer or officers, or by any juſtice of the peace, mayor, conſtable, or other officer of the peace of any county, city, town corporate or borough, where he or ſhe ſhall ſo trade, ſhall refuſe to produce and ſhew immediately unto ſuch perſon or perſons as aforeſaid, ſo demanding the ſame, his or her licence or licences for ſo trading to be granted as aforeſaid, that then the perſon ſo refuſing ſhall forfeit twenty ſhillings to be paid to the informer, and for non-payment thereof ſhall ſuffer as a common vagrant, and be committed to the houſe of correction.

to the ſociety and informer,

refuſing to produce licence to officer of the ſociety, revenue, or the peace, &c. to informer,

or committed.

Collectors to grant licences,

IV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid collectors of the ſeveral diſtricts in this kingdom reſpectively, and they are hereby reſpectively directed, appointed, and required upon the terms aforeſaid, and upon the receipt as aforeſaid, to grant one or more licence or licences under their reſpective hands to every hawker, pedlar, petty chapman, or any other trading perſon for him or herſelf with one or more horſes, aſſes, mules, or beaſts, which he, ſhe or they ſhall travel with, as the caſe ſhall require, according to the terms and directions of this act; and the ſaid collectors are hereby required to inſert in ſuch licences, as they ſhall ſo iſſue or grant, the ages, places of abode, and a particular deſcription of the perſons to whom licences ſhall be granted purſuant to this act, and to number each licence and keep particular entries of ſuch deſcriptions and licences; for each of which licences there ſhall be taken by ſuch collectors for their own uſe one ſhilling and no more, except ſuch hawker, pedlar, or petty chapman ſhall travel with horſe, aſs, mule, or other beaſt bearing or drawing burthen; and in that caſe there ſhall be paid to ſuch collectors for their own uſe for each of ſuch licences for horſes or beaſts of draft two ſhillings, and no more, over and above the duties aforeſaid; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts of the duties hereby granted, and pay the money ariſing thereby into his majeſty's treaſury as other money received by them for the uſe of his majeſty.

inſerting the perſons age, abode, and deſcription,

numbered and entered,

fee 1s.

if with beaſts of draft 2s.

ſeparate accounts kept,

and payment to treaſury.

Collectors accountable as uſual.

V. And be it enacted by the authority aforeſaid, that the ſaid collectors ſhall be accountable to his majeſty for the duties hereby granted, and ſhall be ſubject to the like penalties and forfeitures for not rendering a true account thereof, and paying the

the ſame in manner before mentioned, as they are and ſtand liable unto for not rendering a true account of any money received by them for the uſe of his Majeſty.

Brought into exchequer, paid without fee to the ſociety.

VI. And be it enacted by the authority aforeſaid, that the monies ariſing from the ſaid duties hereby granted ſhall from time to time be brought into the receipt of his Majeſty's exchequer, and ſhall from time to time without any fee or deduction whatſoever be paid by the vice treaſurer or receiver general of this kingdom to the Incorporated Society in Dublin for promoting Engliſh proteſtant ſchools in Ireland, or to their treaſurer for the time being for the uſe of the ſaid incorporated ſociety.

Forging or uſing forged licence knowingly, 5ol. to the king and proſecutor,

VII. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall forge or counterfeit, or cauſe to be forged or counterfeited, any licence or licences for the purpoſe aforeſaid, or travel with ſuch forged counterfeit licence or licences knowing the ſame to be forged or counterfeited, ſuch perſon ſhall forfeit the ſum of fifty pounds, one moiety thereof to the king, and the other moiety to him who ſhall proſecute or ſue for the ſame, to be recovered by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at the four courts in Dublin, in which no eſſoign, protection, or wager of law, or more than one imparlance ſhall be allowed, and that ſuch perſon ſhall be ſubject to ſuch other pains and penalties, as may be inflicted on perſons for forgery.

and penalties for forgery.

Defendants may plead general iſſue, &c. and have treble coſts.

VIII. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall be ſued, or moleſted, or troubled for putting in execution any of the powers contained in this act, or for doing any matter or thing purſuant thereto, ſuch perſon and perſons ſhall and may plead the general iſſue not guilty, and give the ſpecial matter in evidence; and if the plaintiff or plaintiffs ſhall be non ſuited or judgment be given againſt him or them upon demurrer or otherwiſe, or a verdict paſs for the defendant or defendants, or a diſmiſs upon a civil bill, ſuch defendant or defendants ſhall have his, her, or their treble coſts, to be recovered in ſuch manner as where by law coſts are given to defendants.

Conſtable on notice or view not aſſiſting 40s. to the ſociety and proſecutor.

IX. And be it enacted by the authority aforeſaid, that if any conſtable ſhall refuſe or neglect upon due notice, or upon his own view, to be aiding and aſſiſting in the execution of this act, being thereunto required, every ſuch conſtable, being thereof convicted by the oath of one or more credible witneſs or witneſſes before any juſtice of the peace for the county or place where ſuch offence ſhall be committed, ſhall forfeit for each and every ſuch offence contrary to this act the ſum of forty ſhillings to be levied by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal of ſuch juſtice of the peace; one moiety whereof to be paid to the ſaid Incorporated Society, the other moiety to the informer who ſhall proſecute for the ſame, rendering the overplus thereof to the owner, if any be.

Any one may ſeize perſons and goods till licence produced,

and carry before a juſtice or the collector,

unleſs licence produced, 5l. by diſtreſs and ſale.

X. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for any perſon or perſons whatſoever to ſeize and detain any ſuch hawker, pedlar, petty chapman, or other trading perſon or perſons in this act mentioned, and alſo the goods they ſhall be found trading with, until ſuch time as he, ſhe, or they ſhall produce a licence in that behalf, if he, ſhe, or they have any; and if he, ſhe, or they ſhall be found trading without licence contrary to this act, that then it ſhall and may be lawful to and for ſuch perſon or perſons ſo ſeizing as aforeſaid, taking to his or their aſſiſtance ſuch perſon or perſons as he or they ſhall think fit, to carry the perſons ſo ſeized, as alſo the ſaid goods, before ſome one of his Majeſty's juſtices of the peace for the county or place, or before the collector of his Majeſty's revenue for the diſtrict where ſuch offence or offences ſhall be committed; which ſaid juſtice of the peace and the collectors reſpectively are hereby ſtrictly required, either upon the confeſſion of the party offending or due proof of a witneſs upon oath, which they are hereby reſpectively empowered to adminiſter, that the perſon ſo brought before him had ſo traded as aforeſaid, unleſs ſuch licence ſhall be produced by ſuch offender before the ſaid juſtice or collector, by warrant under his hand and

ſeal

ſeal to cauſe the ſum of five pounds to be forthwith levied by diſtreſs and ſale of the offender or offenders goods, wares, or merchandizes, rendering the overplus (if any be) to the owner or owners thereof, after deducting the reaſonable charge for taking the ſaid diſtreſs, and out of the ſaid ſale to pay the penalty and forfeiture aforeſaid.

Exempted, printed papers, fiſh, fruit, victuals, real makers of goods, tinkers, &c.

XI. Provided always, and be it enacted by the authority aforeſaid, that this act or any thing herein contained ſhall not extend to prohibit any perſon from ſelling any act of parliament, form of prayer, proclamation, gazette, almanack, or other printed paper, or any fiſh, fruit, or victuals, nor to hinder any perſon or perſons who are the real workers or makers of any goods or wares within this kingdom, or his or their wife or wives, apprentice or apprentices, from carrying abroad, expoſing to ſale, and ſelling any of the ſaid goods or wares of his or their making in any publick fairs, markets, or elſewhere; nor any tinker, cooper, glazier, plumber, harneſs-mender, or other perſons uſually trading in mending kettles, tubs, houſehold goods, or harneſs whatſoever, from going about ſuch buſineſs only, or from carrying with him or them proper materials for mending the ſame, and no other thing, for ſale.

Wool, frizes, worſted or woollen ſtockings, only.

XII. Provided alſo, and be it enacted by the authority aforeſaid, that this act or any thing herein contained ſhall not extend to ſubject any perſon or perſons, who ſhall carry raw and unmanufactured wool or frizes, or worſted or woollen ſtockings, from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to any of the duties or penalties herein before mentioned, ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other wares, goods, or merchandizes, except the ſaid raw and unmanufactured wool, and the ſaid frizes and worſted and woollen ſtockings.

Flax, yarn, linens, buckram, &c. ſold only.

XIII. Provided alſo, and be it enacted by the authority aforeſaid, that this act or any thing herein contained ſhall not extend to prohibit or reſtrain any perſon or perſons from ſelling or expoſing to ſale in any place or places whatſoever any flax, tow, hemp, flaxen yarn, hempen yarn, ticken, plain, ſtriped, chequered, painted, or ſtained linens, buckrams, or canvas, ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares, or merchandizes, except ſuch flax, tow, hemp, flaxen yarn, hempen yarn, tickens, plain, ſtriped, chequered, painted or ſtained linens, buckrams, or canvas as aforeſaid.

Metal pots, griddles, though with horſes, only 20s. a year.

XIV. Provided alſo, and be it enacted by the authority aforeſaid, that this act, or any thing herein contained, ſhall not extend to ſubject any perſon or perſons, who ſhall carry any pots or griddles made of caſt iron or metal from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to the payment of any greater duty than the ſum of twenty ſhillings by the year in the whole, although ſuch perſon or perſons ſhall or may trade or travel with one or more horſe or horſes, or other beaſt or beaſts drawing or bearing burthen, ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares or merchandizes, except the ſaid pots and griddles made of caſt iron metal.

3 commiſſioners may direct rewards.

XV. Provided alſo, and be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the commiſſioners of his Majeſty's revenue, or any three or more of them for the time being, to order and direct to be paid out of the monies raiſed by this act to the ſaid collectors, their clerks, or any other perſons, ſuch ſums of money as they or any of them ſhall or may reaſonably deſerve for their ſervice, or ſhall or may have expended in the execution of or in relation to this act.

Not to licenſe ſale in corporations ſave as before.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, that this act or any thing herein contained ſhall not extend or be conſtrued to give any power for licenſing any hawker, pedlar, or petty chapman to ſell or expoſe to ſale any wares or merchandizes in any city, borough, town corporate, or market town within this realm, any otherwiſe than he or ſhe might have done before the making of this act, any thing herein contained to the contrary notwithſtanding.

Privately conveying and selling in hired places, or on booths or ſtalls, not adjoining their dwelling, without licence,

leather cutters or ſellers,

cryers of old cloaths,

deemed within this act, and liable to penalties on hawkers without licence.

XVII. And whereas it frequently happens that dealers, hawkers, and pedlars in order fraudulently to evade the payment of his Majeſty's duty on licences do not openly travel from town to town, or to other mens houſes, but privately convey and carry their goods, wares, and merchandizes, and ſell or expoſe to ſale the ſame in ſhops, rooms, or warehouſes, or other places hired for that purpoſe in cities, towns, and places, where they are not uſually reſident; and divers other perſons privately carry and convey their goods, wares, and merchandizes to publick ſtreets and places in cities, towns corporate, and other places in this kingdom, where they reſpectively reſide, but not adjoining or near to their dwelling houſes, ſhops, or warehouſes, or other apartments, and ſell and expoſe the ſame to ſale upon booths, ſtalls, or ſtandings, without licence: and whereas ſeveral people under the denomination of leather cutters or leather ſellers hawk about from town to town and expoſe to ſale in cities and towns corporate, and in fairs, marts, markets, and in other places, large and ſmall parcels of leather in booths, ſtalls, ſtandings, or otherwiſe; and alſo divers perſons under the denomination of cryers of old caſt cloaths do alſo hawk about the ſtreets of cities and towns corporate, and other places in this kingdom, old caſt cloaths, and alſo expoſe to ſale ſeveral of ſuch kind of goods on ſtands, or ſtalls, or otherwiſe without licence: and whereas a doubt hath ariſen, whether ſuch perſons aforeſaid are to be deemed hawkers, pedlars, or petty chapman, or trading perſons within the meaning and intention of the acts of parliament heretofore made in this kingdom for licenſing hawkers and pedlars and for the encouragement of Engliſh proteſtant ſchools, and ſubject to the penalties and forfeitures thereof: therefore be it enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy four until the twenty fifth day of March one thouſand ſeven hundred and ſeventy ſix all and every the perſons aforeſaid ſhall pay ſuch duty as aforeſaid, and take out ſuch licences in manner as aforeſaid; and in caſe any perſon or perſons whatſoever ſhall be found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as herein is excepted) in any ſhop or ſhops, room or rooms, warehouſe or warehouſes, or other place or places in any city, borough, town corporate, market town, village, or other place within this kingdom, wherein he, ſhe, or they have not been reſident one calendar month previous to the ſelling or expoſing to ſale any goods, wares, or merchandizes (except as before excepted) and ſell or expoſe to ſale ſuch goods, wares, or merchandizes therein, or in any of them, without licence as aforeſaid, ſuch perſons reſpectively, and alſo all ſuch perſon or perſons as ſhall be found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as aforeſaid) upon booths, ſtalls, ſtandings, or otherwiſe, in any publick ſtreet or ſtreets, place or places, in any city, borough, town corporate, market town, village, or other place within this kingdom, not adjacent or adjoining his, her, or their dwelling houſe or houſes, ſhop or ſhops, warehouſe or warehouſes, or other apartments, and alſo all perſons under the denomination of leather cutters or leather ſellers, who ſhall hawk about from town to town, and ſell or expoſe to ſale in cities and towns corporate, or in fairs, marts, or markets, or other places, large or ſmall parcels of leather in or upon booths, ſtalls, ſtandings, or otherwiſe; and alſo all perſons under the denomination of cryers of old caſt cloaths, who ſhall hawk about the ſtreets, lanes, or alleys of cities and towns corporate, and other places in this kingdom, to purchaſe or ſell old caſt cloaths of any kind whatſoever, or ſhall ſell or expoſe to ſale any ſuch goods on ſtands, ſtalls, or otherwiſe, without licence as aforeſaid, all and every ſuch perſon or perſons ſhall be deemed and taken to be a hawker or hawkers, pedlar or pedlars, petty chapman or petty chapmen, within the meaning of this act to all intents and purpoſes, and ſhall be ſubject and liable to all and every the penalties and forfeitures by the ſame inflicted upon hawkers, pedlars, petty chapmen, and others trading without licence; any thing herein contained to the contrary notwithſtanding.

XVIII. And whereas it hath been found, that ſeveral hawkers, pedlars, and petty chapmen have reſpectively employed one or more other perſon or perſons, ſervant or ſervants, with him, her, or them, to carry about boxes, bundles, or parcels of goods, wares, and merchandizes on their backs, arms, or otherwiſe, ſeparate and diſtinct from that or thoſe carried about by him, her, or themſelves, and have ſold and expoſed to ſale in booths, ſtands, and ſtalls, or otherwiſe, as well the ſaid ſeveral goods, wares, and merchandizes ſo carried by ſuch other perſon or perſons, ſervant or ſervants, as thoſe carried by him, her, or themſelves, under the ſanction of one foot licence taken out by ſuch perſon or perſons ſo being or appearing to be the principal owner or proprietor thereof, without ſeparate or diſtinct licence or licences for ſuch other perſon or perſons, ſervant or ſervants; and it hath been alſo found, that by means and under the ſanction of one licence many perſons principal and ſeparate dealers, who have no connection with ſuch perſon or perſons, having one licence only as aforeſaid, alſo fraudulently paſs under the denomination of his, her, or their ſervant or ſervants, and trade without licence, to the great injury of the fair trader and dealer with licence, and the great diminution of the ſaid tax on hawkers and pedlars: and whereas it is reaſonable, that a horſe licence ſhall be paid for and taken out for every horſe, mule, aſs, or beaſt of burthen that ſhall be made uſe of or driven by every hawker, pedlar, and petty chapman: therefore be it enacted by the authority aforeſaid, that from and after the ſaid twenty-fifth day of March one thouſand ſeven hundred and ſeventy-four until the twenty-fifth day of March one thouſand ſeven hundred and ſeventy-ſix every hawker, pedlar, and petty chapman, for every perſon that ſhall be employed, or carry, whether ſervant or other perſon in his or her company, or otherwiſe, any boxes or bundles, or parcels of goods, wares, or merchandizes on their backs, arms, or otherwiſe, ſeparate or diſtinct, for the purpoſe of ſelling and trading with the ſame, ſhall take out and pay for as aforeſaid a ſeparate and diſtinct foot licence for every ſuch perſon; and alſo that every hawker, pedlar, and petty chapman, for every horſe, mule, aſs, or beaſt of burthen that he or ſhe ſhall make uſe of or drive, whether in his or her own company or otherwiſe, ſhall take out and pay for a ſeparate diſtinct horſe licence; and ſuch ſeparate and diſtinct perſon, whether ſervant or other perſon employed or carrying ſuch boxes, bundles, or parcels as aforeſaid, and ſuch hawker, pedlar, or petty chapman, that ſhall not take out a horſe licence for every horſe or beaſt of burthen, he or ſhe ſhall make uſe of or drive as aforeſaid, ſhall be ſubject and liable to all and every the penalties and forfeitures by this act inflicted upon hawkers, pedlars, petty chapmen, and others trading without licence; it being the true intent and meaning of this act, that for one foot licence no more goods, wares, or merchandizes ſhall by virtue of this act be hawked about for ſale as aforeſaid, than one perſon can well or reaſonably bear or carry or travel with, and for one horſe licence no more goods, wares, or merchandize, ſhall by virtue of this act be carried about as aforeſaid, than one horſe, aſs, mule, or other beaſt of burthen, can well or reaſonably bear, or carry or travel with; any thing herein contained to the contrary notwithſtanding.

a ſeparate foot licence for every perſon employed to carry goods,

and ſeparate horſe licence for every beaſt of burthen uſed,

or liable to penalties;

for one foot or horſe licence no more goods hawked than can be reaſonably borne by one.

XIX. And whereas it hath been found, that many hawkers, pedlars, and petty chapmen trade without licence in the cities, towns corporate, and elſewhere in this kingdom, and fraudulently evade and eſcape the penalties and puniſhments inflicted by the acts heretofore made for licenſing hawkers and pedlars, and for the encouragement of proteſtant ſchools, for want of proper perſons or officers whoſe ſole or principal buſineſs it ſhould be to attend in cities, boroughs, towns corporate, market towns, villages, and at fairs, marts, and markets and elſewhere in this kingdom within particular diſtricts, in order to watch, examine, detect, and to bring to juſtice ſuch hawkers, pedlars, petty chapmen, and other perſons, as have ſo traded without licence, which, it is apprehended, might in future be prevented, and the fund ariſing by the tax on hawkers and pedlars be conſiderably encreaſed by giving power to the ſaid Incorporated Society in Dublin for promoting Engliſh proteſtant

proteſtant ſchools in Ireland to appoint proper perſons or officers for the detecting and bringing to juſtice ſuch perſons as ſhall hereafter be found trading without licences, and to fix ſalaries and premiums as encouragements for the due and faithful diſcharge of their reſpective offices in the execution of this act: therefore be it enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy four until the twenty fifth day of March one thouſand ſeven hundred and ſeventy ſix it ſhall and may be lawful to and for the ſaid Incorporated Society in Dublin for promoting Engliſh proteſtant ſchools in Ireland, and they are hereby authorized and empowered from time to time, and at all times during the continuance of this act, by commiſſion or commiſſions under their corporation ſeal to appoint one or more inſpector or inſpectors, or other officer or officers, in ſuch diſtrict or place or places in this kingdom, as the ſaid ſociety from time to time ſhall think fit, with ſuch ſalary, premium, or encouragement for ſuch officer as to the ſaid ſociety ſhall ſeem reaſonable for the due and faithful diſcharge of his duty: and ſuch inſpector or inſpectors, officer or officers, are hereby authorized and empowered to examine, ſearch, inſpect, detect, and bring to juſtice all offenders againſt this act. And the ſaid ſociety are hereby authorized and empowered at their will and pleaſure to remove and diſplace ſuch inſpector or inſpectors, or other officer or officers, and from time to time, as it ſhall be neceſſary, to appoint other perſon or perſons in his or their room or ſtead.

From 25 March 1774 to 1776 may under their ſeal appoint inſpectors with ſalary or premium in ſuch places as they think fit,

with power to ſearch, and bring offenders to juſtice;

remove and appoint others.

XX. And be it enacted by the authority aforeſaid, that every perſon and perſons ſo to be appointed inſpector or inſpectors, officer or officers, as aforeſaid, ſhall, before he or they enter upon his or their office or offices, take before the ſaid Society or any juſtice of the peace in this kingdom, who are hereby authorized and empowered to adminiſter the ſame, the oath following, that is to ſay;

Inſpector's oath before the ſociety or a juſtice.

I A. B. *do ſwear, that I will diligently ſearch for and examine all hawkers, pedlars, petty chapmen, and others, I ſhall diſcover ſelling or expoſing to ſale any goods, wares, or merchandizes within my diſtrict, and that ſuch as I ſhall find travelling or trading within the ſame without liecnce (contrary to an act of parliament made in Ireland in the fourteenth year of his preſent Majeſty*, entitled, *An act for licenſing hawkers and pedlars, and for the encouragement of Engliſh Proteſtant Schools) I will uſe my utmoſt endeavours to bring to juſtice, and will well and faithfully execute the office of inſpector of hawkers and pedlars purſuant to the ſaid act.*

Schools.

XXI. And for the further encouragement of Engliſh proteſtant ſchools be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for every archbiſhop, biſhop, and to and for every dean, archdeacon, dignitary, prebendary, rector, vicar, and eccleſiaſtical perſon whatſoever, with the conſent of the archbiſhop or biſhop of their reſpective dioceſe, ſignified under the hand and ſeal of ſuch archbiſhop and biſhop reſpectively, by deed or deeds indented to demiſe for any term or number of years or lives, with covenants of perpetual renewal, any quantity of land to them reſpectively belonging, not exceeding thirty acres plantation meaſure, to the ſaid Incorporated Society and their ſucceſſors, reſerving a rent not leſs than the improved yearly value of the ſame at the time of making ſuch demiſe, payable to thoſe who are or ſhall be entitled to the freehold and inheritance thereof, and taking no fine or foregift for the ſame; and that all grants ſo to be made ſhall be good and effectual againſt the ſucceſſors of every ſuch archbiſhop, biſhop, dean, archdeacon, dignitary, prebendary, rector, vicar, aud other eccleſiaſtical perſons reſpectively.

Biſhops and eccleſiaſticks with their conſent under ſeal may demiſe in perpetuity 30 acres reſerving improved yearly value,

taking no fine or foregift,

good againſt ſucceſſors.

XXII. Provided always, and be it enacted by the authority aforeſaid, that in caſe the ſaid lands and premiſſes ſo demiſed as aforeſaid ſhall not be applied and made uſe of for the benefit and ſupport of the charter ſchools or nurſeries, or ſome of them that are or ſhall be erected and eſtabliſhed by the ſaid ſociety, ſuch demiſe ſhall be abſolutely null and void to all intents and purpoſes whatſoever.

Void, if not applied to the charter ſchools.

CHAP.

CHAP. X.

An act to explain and amend an act made in the third year of the reign of his late Majeſty King George the ſecond, entitled, An act for the better keeping churches in repair.

Repealed 15 & 16 G. 3. c. 14.

laws for repair of churches and chapels ineffectual and neglected,

churches become indecent and unſafe,

proviſion of firſt fruits for new churches counteracted thereby,

for preſervation thereof, and to prevent increaſe of non curates,

WHEREAS the laws now in being for the preſervation and repairs of pariſh churches and chapels, and for the providing all further charges neceſſary for the more decent and orderly performance of divine ſervice, have been ineffectual to the good purpoſe intended by them, and have been very much neglected in various parts of this kingdom; by reaſon whereof divers churches in the country are become offenſively indecent in their appearance, and unfit and unſafe for the pariſhioners to aſſemble therein for the publick worſhip of Almighty God, and which neglect and inattention manifeſtly counteract and muſt render ineffectual the late pious and munificent proviſion to encreaſe the number of places of publick worſhip by enabling the truſtees of the firſt fruits to build new churches in pariſhes, where divine ſervice had not been performed for twenty years laſt paſt: in order therefore more effectually to provide for the preſervation and repair of pariſh churches and chapels, and thereby prevent the encreaſe of non-curates, or of pariſhes in which the pariſh churches are in ruins, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that in every pariſh, or union, or parochial chapelry, a veſtry ſhall be held for the making a pariſh ceſs or tax to be applied to the repairs of the pariſh church or chapel, and for other neceſſary charges belonging to ſuch church or chapel, in the year one thouſand ſeven hundred and ſeventy four on the firſt Monday or on the firſt Tueſday in the month of July, and in every ſucceeding year in Eaſter week on ſome day ſubſequent to the election or nomination of church wardens; and notice ſhall be given of the meeting of ſuch veſtry on the Sunday preceding after divine ſervice; at which veſtry it ſhall and may be lawful for the pariſhioners thus aſſembled, that are of the communion of the church of Ireland by law eſtabliſhed, or the major part of them, to vote for and aſſeſs on the pariſhioners at large of each pariſh, union, and chapelry reſpectively, ſuch ſum and ſums of money yearly, as to them ſhall ſeem neceſſary and proper for the repairs and preſervation of the church or chapel reſpectively belonging to ſuch pariſh, union, or chapelry, and of the church yard, entrance, and precincts of the ſaid church or chapel, and for providing and preſerving from time to time ſuch uſeful and decent requiſites as have been found neceſſary for the regular performance of divine ſervice according to the eſtabliſhed rights and cuſtoms of the church of Ireland, and for the providing all ſuch neceſſaries and requiſites as the pariſhioners of any pariſh aſſembled in veſtry by the laws now in being are enabled to provide for by a pariſh ceſs.

veſtries ſhall be held yearly in Eaſter week after church wardens elections for a ceſs to repair the church or chapel and neceſſary charges,

notice Sunday before,

voted by majority of pariſhioners of church of *Ireland*,

and for the church yard, entrance, and precincts and requiſites as by laws now in being.

To appoint a pariſhioners annual applotters,

II. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid pariſhioners of the eſtabliſhed church ſo aſſembled in veſtry, or the major part of them, to nominate and appoint two or more pariſhioners of each pariſh, union, or chapelry reſpectively, applotters for the ſaid pariſh, union, or chapelry, who ſhall continue in office to the ſubſequent election of applotters in every year; and that ſuch applotters ſo choſen ſhall applot the ſaid ſeveral ſums ſo voted and aſſeſſed upon each pariſh, union, or chapelry reſpectively, at large, and ſhall, within reaſonable time after they ſhall have made the ſaid applotment, declare upon oath before ſome juſtice of the peace of the county, in which ſuch pariſh is ſituated, that the ſaid applotment is equally and fairly made upon the ſeveral pariſhioners and landholders according to their reſpective holdings to the beſt of their ſkill and knowledge; which applotment, when made in manner aforeſaid and ſubſcribed by the ſaid applotters, ſhall be delivered to the miniſter or curate

to declare applotment equal and fair on oath before a juſtice,

ſubſcribe, and deliver to the miniſter or curate,

of each pariſh, union, or chapelry reſpectively; who, the firſt Sunday after he ſhall have received the ſame, ſhall after divine ſervice in the morning give publick notice of a general meeting of the pariſhioners of every ſuch pariſh, union, or chapelry reſpectively, in veſtry within ten days after ſuch notice in order to have the ſaid applotment examined into; at which veſtry of the pariſhioners at large, ſo ſummoned as aforeſaid, the major part of the proteſtant inhabitants there aſſembled ſhall have full power to hear all parties, who ſhall object to the ſaid applotment, and to make ſuch alterations and amendments as to them ſhall ſeem juſt and reaſonable, and then finally to ſettle and aſcertain the ſame; and after the ſame is ſo ſettled and aſcertained, they ſhall cauſe two diſtinct parts or tranſcripts thereof to be made, each to be ſubſcribed by the miniſter, the church wardens, or two of the applotters appointed as aforeſaid, and three of the proteſtant pariſhioners then preſent, one part whereof ſhall remain with the miniſter and pariſhioners, and the other ſhall be delivered to the church wardens, who ſhall with all convenient expedition proceed to collect and levy the ſame in the manner preſcribed in an act, which paſſed in the twelfth year of the reign of his late Majeſty King George the firſt, entitled, *An act for the more effectual erecting and better regulating of free ſchools, and rebuilding and repairing of churches*; and the money when ſo levied ſhall be applied to the uſes, for which it was ordered: and in caſe the ſaid applotment ſhall not be finally ſettled and aſcertained in the general meeting of the proteſtant pariſhioners in veſtry aſſembled as aforeſaid, then two diſtinct parts or tranſcripts ſhall be made of the applotment delivered in on the oath of the annual applotters, appointed as is herein before directed, each to be ſubſcribed by the miniſter, the church wardens, or two of the ſaid applotters, and three of the proteſtant pariſhioners then preſent, one part whereof ſhall remain with the miniſter and pariſhioners, and the other ſhall be delivered to the church wardens, who ſhall with all convenient expedition proceed to collect and levy the ſame in manner herein before directed; and the ſaid applotments, ſubſcribed as aforeſaid, ſhall be ſufficient evidence to charge the church wardens with the ſeveral ſums contained in the ſaid applotments, in caſe they ſhall neglect or refuſe to collect any pariſh ceſs as aforeſaid, or to pay the balance of their accounts ſtated, as is directed by an act made in the third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the better keeping churches in repair*.

notice firſt Sunday after of veſtry to examine it in 10 days,

where finally aſcertained,

2 parts made, ſubſcribed by miniſter, or 2 applotters, and 3 pariſhioners,

1 to miniſter and pariſhioners;

the other to church wardens to collect as by 12 *G.* 1. c. 9.

to apply as ordered,

if not ſo ſettled in veſtry, then 2 parts delivered on applotter's oath,

to levy as aforeſaid,

ſaid applotments evidence to charge church wardens on neglect as by 3 *G.* 2. c. 11.

III. And whereas churches are frequently damaged by ſudden and unforeſeen accidents, and do require immediate repair, the delay whereof might be attended with many inconveniencies, and might occaſion great additional expence to the pariſhioners before the return of the next Eaſter veſtry: be it enacted by the authority aforeſaid, that in caſe of ſuch caſual and unexpected damage to any church or chapel, wherein divine ſervice according to the liturgy of the church eſtabliſhed is celebrated, the miniſter or curate of every pariſh, union, or chapelry, is hereby authorized and required to ſummon the veſtry after divine ſervice on the Lord's day two or three days at leaſt before ſuch meeting; at which veſtry it ſhall and may be lawful for the pariſhioners thus aſſembled, that are of the communion of the church of Ireland by law eſtabliſhed, or the major part of them, to vote for and aſſeſs on the pariſhioners at large of each pariſh, union, or chapelry reſpectively, ſuch ſum of money as ſhall be judged neceſſary for ſuch immediate repairs, or other neceſſary and unforeſeen occaſions; provided the ſame ſhall not exceed in the whole the ſum of ten pounds; which ſum ſo voted and aſſeſſed ſhall be applotted and levied in the ſame manner as money voted and aſſeſſed at the Eaſter veſtry herein before directed to be applotted and levied.

On caſual damage, veſtry ſummoned 2 or 3 days before,

where a ſum, not above 10l. aſſeſſed, applotted, and levied, as aforeſaid.

IV. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall be duly elected or nominated a church warden, after the expiration of ſix weeks, to be computed from the date of the entry of his ſaid election or nomination in the veſtry book of every pariſh, union, or chapelry, ſhall be deemed and taken, and is hereby declared to be, the legal church warden of ſuch pariſh, union,

Church warden elected, tho' not taking oath of office, deemed legal after 6 weeks from entry of election in veſtry book,

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union, or chapelry, to all the intents and purpoſes of this act, and of the ſeveral acts now in force for the better keeping churches in repair, although ſuch church warden ſhall have neglected or refuſed to take the uſual oath of office in the manner preſcribed by law; and the ſaid election or nomination ſhall be entered in the veſtry book of every pariſh, union, or chapelry, ſigned by the miniſter or curate, and three of the pariſhioners then preſent at leaſt; and the ſaid act of veſtry ſo ſigned ſhall be conſidered and received as concluſive evidence of ſuch election or nomination, although the ſame ſhall not be ſigned by the ſaid church wardens or either of them.

ſuch act of veſtry, ſigned by miniſter or curate and 3 pariſhioners, concluſive evidence of election, tho' not ſigned by church warden.

V. Provided always, that nothing in this act contained ſhall extend or be conſtrued to extend to take away from the force of an act, which paſſed in the third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the better keeping churches in repair*, or of any other law or ſtatute now in force relating to the building or repairing of churches; but the ſame ſhall continue in force, as if this act had never been made, unleſs where the ſame are amended and altered by this preſent act.

3 *G.* 2. *c.* 11. or other law as to building or repairing churches in force ſave as altered.

CHAP. XI.

An act for amending an act paſſed in the twenty ninth year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the further encouragement of tillage.*

Tillage promoted by export,

the laws ineffectual,

WHEREAS a liberty of exporting grain under proper regulations and encouragements will be a great means of promoting tillage and induſtry, and thereby the better enable the inhabitants of Ireland to ſupport the neceſſary expences of his Majeſty's eſtabliſhments in that kingdom: and whereas the laws heretofore made for that purpoſe have not had the deſired effect: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four, whenever the prices of middling Iriſh wheat at the ports or places, where the ſame ſhall be exported, ſhall appear, according to the methods directed by an act paſſed in the the twenty ninth year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the further encouragement of tillage*, or as herein after directed by this act, not to exceed the price of one Engliſh ſhilling the ſtone, the price of middling Iriſh rye, peaſe, or beans, the price of twenty five Engliſh ſhillings the quarter, the price of middling Iriſh oats the price of nine ſhillings Engliſh the quarter, every merchant or other perſon, who ſhall put on ſhip-board in Britiſh or Iriſh ſhipping, the maſter and two thirds of the mariners at leaſt being his Majeſty's ſubjects, any Iriſh wheat, meal, or flour, rye, peaſe, beans, oats, or oatmeal,

when middling *Iriſh* wheat, where exported, appears as by 29 *G.* 2. c. 9. or this act, not to exceed 1s. *Engliſh per* ſtone, rye, peas, or beans 25s. *per* quarter, oats 9s. exporter in *Britiſh* or *Iriſh* ſhips (except to *Man*) the maſter and 2-3ds ſubjects, ſhall, on bond and requiſites in ſaid act, receive premiums following,

with intent to export the ſame beyond the ſeas, except to the iſle of Man, ſhall after entering into ſuch bond and performing ſuch other requiſites, as are directed by the ſaid act, have and receive from the collector or officer of ſuch port reſpectively, inſtead of the allowances to be made by virtue of the ſaid act, the rates, allowances, or premiums following, and no more, that is to ſay, for every quarter of wheat, ground wheat, meal, or wheat flour, three ſhillings and two pence Engliſh; for every quarter of rye, peaſe, or beans, ground or unground, two ſhillings and four pence Engliſh; for every quarter of oats, ground or unground, one ſhilling and three pence Engliſh; the ſaid meaſures, except as herein after mentioned, to be aſcertained in ſuch manner as is directed by the ſaid act; which ſeveral ſums of money ſuch collector or officer is hereby authorized and required to pay to ſuch exporter upon demand without requiring or taking any cuſtom, fee, or reward for ſuch corn, meal, or flour, ſo laden to be exported; any law, ſtatute, or uſage to the contrary notwithſtanding.

for wheat, &c. 3s. & 2d. *Engliſh per* quarter, rye, peas, or beans, 2s. & 4d. oats 1s. & 3d.

as by 29 *G.* 2. c. 9. ſave as hereafter, paid on demand without fee.

II. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty-fourth day of June the half-quarter or four buſhels of wheat, rye, peaſe, beans, meal, and flour made of wheat or rye, ſo to be exported, ſhall contain and be equivalent to two hundred and twenty four pounds weight: and for the greater expedition in aſcertaining the quantity thereof the proper officer attending the ſhipping of the ſame, where the ſame ſhall be ſhipped off in ſacks, may make choice of and weigh two ſacks out of any number not exceeding twenty, and ſo in proportion for any greater quantity, before or after the ſame ſhall be put on board, and thereby compute the weight by proportioning the ſame acordingly; and the bounty money thereupon ſhall be paid to the exporter for ſo much, and no more, upon his producing a certificate from the proper officer atteſting the quantity, quality, and weight thereof according to the ſaid computation.

Four buſhels of wheat, &c. 224lb.

where ſhipped in ſacks, the officer may chuſe and weigh 2 out of 20, and compute the weight thereby,

bounty paid for ſo much only on officer's certificate.

III. Provided, that this act ſhall not extend to nor any bounty be paid for any corn, flour, peaſe, beans, oats, or oatmeal, which ſhall be exported from the port of Dublin, or any of the creeks or members thereof, nor from any port, harbour, haven, or place from Drogheda ſouthward to Wicklow.

No bounty on export from *Dublin*, nor from *Drogheda* to *Wicklow*.

IV. And be it further enacted by the authority aforeſaid, that this act ſhall continue in force until the twenty fourth day of June one thouſand ſeven hundred and ſeventy nine, and no longer.

Continued to 24 June 1779 *to* 25 *Dec.* 1781 *by* 17 & 18 *G.* 3. *c.* 31.

CHAP.

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CHAP. XII.

An act for continuing and amending three ſeveral acts, one paſſed in the reign of his late Majeſty King George the ſecond, and the other two in his preſent Majeſty's reign, for making the river Lagan navigable and opening a communication by water between Loughneagh and the town of Belfaſt; and for enabling the commiſſioners therein named, to raiſe money by aſſignment of ſaid duties for the more expeditious and effectual carrying on ſaid work.

Amended 19 & 20 G. 3. c. 32.

WHEREAS by an act paſſed in the twenty ſeventh year of the reign of his late Majeſty King George the ſecond of glorious memory certain duties, rates, and impoſitions were granted to his ſaid late Majeſty King George the ſecond for the uſe of the corporation for promoting and carrying on an inland navigation in Ireland, to be by them laid out and expended in making the river Lagan navigable, and opening a paſſage by water between Loughneagh and the town of Belfaſt in the county of Antrim; and the ſaid act was afterwards continued and amended by an act paſſed in the third year of his preſent moſt gracious Majeſty George the third, and both ſaid acts were by an act paſſed in the eleventh and twelfth years of his preſent Majeſty's reign continued for nine years from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three; and by the ſaid act the local commiſſioners for ſaid navigation in order to expedite the finiſhing of ſaid work are enabled to raiſe money by aſſignment of the ſaid duties for the ſaid term of nine years; but from the ſhortneſs of ſaid term it is found, that money ſufficient to anſwer ſaid purpoſes cannot be obtained or borrowed upon any aſſignment of the ſaid duties during ſuch term; and it therefore becomes neceſſary to anſwer the intention of the ſaid act, to enlarge the ſaid term, in order thereby to enable the ſaid commiſſioners to borrow money for compleating in a ſhort time the ſaid navigation; and the inhabitants liable to ſaid duties (that is to ſay) the ſeveral inhabitants of that part of the diſtrict of Liſburn, commonly known and diſtinguiſhed by the gauger's walks of Belfaſt, Liſburn, Moira, and Hillſborough, are willing and deſirous, that the ſaid duties ſhould be continued for a term of forty one years, ſubject however to a proviſo or condition for diſcontinuing or determining the ſame as ſoon as ſaid navigation ſhall be compleated, and the expences thereof paid off: be it enacted by the King's moſt excellent Majeſty by and with the

the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſeveral duties and impoſitions in and by the ſaid firſt mentioned act granted to his ſaid Majeſty George the ſecond, and chargeable in the manner therein mentioned, be further granted and continued, raiſed, levied, and paid unto his Majeſty, his heirs and ſucceſſors, for the term of thirty two years from the twenty fifth day of December one thouſand ſeven hundred and eighty two, and no longer, in and throughout that part of the diſtrict of Liſburn, commonly known and diſtinguiſhed by the gauger's walks of Belfaſt, Liſburn, Moira, and Hillſborough, including ſuch parts or parcels of the manors of Hillſborough, Kilwarlin, Caſtlereagh, and Slotneats, as were contained in the ſaid act of the twenty ſeventh year of the reign of his late Majeſty King George the ſecond of glorious memory, but excepted in the act of the third year of his preſent moſt gracious Majeſty George the third; and that all ſaid additional duties ſhall be levied and collected in the manner, and by ſuch ways and means, as the ſame are appointed to be levied and collected by the ſaid act of the twenty ſeventh year of the reign of his late Majeſty; and the ſaid act, and alſo the ſaid acts of the third, and of the eleventh and twelfth, of his preſent Majeſty, and every clauſe or article in ſaid acts or any of them, ſave in ſuch particulars or reſpects as the ſame may be altered by this preſent act, ſhall remain and continue in full force for the ſaid ſpace and term of thirty two years, from the ſaid twenty fifth day of December one thouſand ſeven hundred and eighty two.

duties by 27 *G.* 2. c. 3. continued 32 years from 25 December 1782, in part of *Liſburn* diſtrict, including parts excepted in 3 *G.* 3. c. 6.

levied as by 27 *G.* 2. c. 3. 3 *G.* 3. c. 6. and 11 & 12 *G.* 3. c. 26.

ſaid acts, ſave as altered, continued 32 years from 25 Dec. 1782.

II. And be it enacted by the authority aforeſaid, that the ſaid additional duties, as they ſhall from time to time be brought into the receipt of his Majeſty's exchequer, ſhall be paid over without any fee or deduction by the vice treaſurer or receiver general of this kingdom upon an order or draught, to be ſigned by the following perſons, who are by the commiſſioners for promoting and carrying on an inland navigation in Ireland appointed to be local commiſſioners for carrying on the ſaid navigation of the river Lagan (that is to ſay) the right honourable earl of Antrim, the right honourable earl of Donegal, right honourable earl of Hillſborough, right honourable earl of Moira, right honourable earl of Hertford, right honourable earl of Maſſerene, right honourable earl of Charlemont, right honourable lord viſcount Glerawley, right honourable lord Beauchamp, honourable Francis Caulfield, honourable Henry Conway, Hercules Langford Rowley, eſquire,

Said duties as brought into exchequer paid without fee on draughts ſigned by local commiſſioners or by any 7,

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eſquire, right reverend lord biſhop of Down and Connor, lord Bangor, right honourable William Brownlow, Francis Brice, William Watts Gayer, reverend James Dixon, dean of Down, William Montgomery, Samuel Waring, reverend Thomas Waring, reverend Trevor Benſon, reverend Charles Smyth, Joſeph Henry eſquire, right honourable James Forteſcue, Morgan Jellett, John O'Neil, eſquire, Thomas Gregg, Stewart Banks, George Portis, the ſovereign and pariſh miniſter of the town of Belfaſt, Samuel Smith, and alſo the perſons following, who are hereby appointed local commiſſioners for ſaid navigation (that is to ſay) Waddell Cunningham, Valentine Jones, George Black, John Holms, Henry Joy, Robert Thompſon, or to be ſigned by any ſeven of them, or by any ſeven of the perſons who may hereafter be choſen or appointed in their room, or in the room of any of them, or who may by ſubſcribing one hundred pounds in the manner herein after mentioned become local commiſſioners for carrying on the ſaid navigation; and that all the monies ſo ariſing from ſaid additional duties ſhall be laid out or expended by ſaid commiſſioners, or their order, in compleating the ſaid navigation now carrying on from Liſburn through Blair's to Spencer's Bridge, and from thence to Loughneagh, and paying ſuch money, and the intereſt thereof, as ſhall be borrowed for that purpoſe.

Laid out on the navigation, and paying money borrowed.

III. And for the more effectual promoting and expediting the ſaid work be it enacted by the authority aforeſaid, that the ſaid local commiſſioners before named, or the perſons hereafter to be choſen and appointed local commiſſioners, or any ſeven or more of them, are hereby impowered from time to time, and at all times hereafter, to aſſign over the ſaid duties granted by the ſaid acts, or by this preſent act, and alſo all ſuch tolls as ſhall or may ariſe from the conveyance of any timber, goods, and merchandize through or along the ſaid navigation for the purpoſe of ſecuring the repayment of any ſum or ſums of money, not exceeding in the whole the ſum of ten thouſand pounds, which they may be enabled to borrow, and the payment of the intereſt thereof, in ſuch manner and form as herein after mentioned and appointed, that is to ſay, that the ſaid local commiſſioners, or any ſeven or more of them, or ſeven or more of the perſons to be hereafter choſen or appointed local commiſſioners for ſaid navigation, ſhall and may at all times hereafter at any of their ſtated or publick meetings by any inſtrument or inſtruments, writing or writings, in nature of debentures, or in ſuch form as ſhall be agreed upon, and approved of by them, and the perſons advancing their money, under their reſpective hands

7 local commiſſioners may aſſign ſaid duties, and the tolls, for payment of loan not exceeding 10000l.

by debentures, at ſtated meetings,

hands and ſeals, to aſſign over the ſaid duties and the ſaid tolls, or order or appoint the ſame, or ſo much thereof as ſhall be ſufficient for that purpoſe, to be paid for any term or time during the continuance of this act as a ſecurity for any ſum or ſums of money to be borrowed by them for the purpoſe aforeſaid to ſuch perſon or perſons, or their truſtees, as ſhall advance and lend the ſame, to the intent and purpoſe that ſuch perſon or perſons, or their truſtees, or the executors, adminiſtrators, or aſſigns of ſuch perſon or perſons, or their truſtees, ſhall and may be paid and receive thereout ſuch yearly intereſt, not exceeding the legal intereſt, as ſhall be agreed upon by the ſaid commiſſioners and the ſaid perſons for the ſums ſo to be advanced by them, from the time of advancing the ſame unto the end and expiration of twenty years from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and from thenceforth during the continuance of this act until they ſhall be repaid their ſaid principal ſums; and that from and after the expiration of twenty years from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three ſuch perſon or perſons, his, her, or their truſtees, executors, adminiſtrators, or aſſigns, ſhall and may after the application of ſo much of the ſaid tolls and duties, as ſhall be neceſſary to pay off and diſcharge the intereſt of all principal ſums not exceeding in the whole the ſum of ten thouſand pounds, which ſhall be due thereupon, out of the remainder of ſuch tolls and duties be paid and receive the ſum of five hundred pounds annually in addition to the yearly ſum or ſums which for ſaid term of twenty years will be neceſſary to pay off the intereſt of ſaid principal ſums; but after ſaid term, as ſaid principal ſums ſhall be paid off, it is meant ſhould go in aid of ſaid annual ſum of five hundred pounds in diſcharge of the principal ſums due, and in acceleration of the payment thereof, ſuch annual ſum of five hundred pounds, and ſuch yearly ſums as by diſcharge of any principal ſums ſhall not be wanting to pay the intereſt thereof, to be applied in diſcharge of the principal ſum or ſums remaining due to ſuch perſon or perſons, their truſtees, executors, adminiſtrators, or aſſigns, according to the priority and order in which ſaid principal ſums ſhall have been lent and advanced.

intereſt not exceeding legal,

20 years from 25 Dec. 1773, &c.

500l. annually in addition,

payment according to priority.

IV. Provided however, that nothing in this act contained ſhall in any ſort interfere with or prejudice the demands of any creditor or creditors, who may have advanced any ſum or ſums of money on any ſecurity or ſecurities granted purſuant to the ſaid act of the eleventh and twelfth of his preſent Majeſty.

Not to prejudice creditors under 11 & 12 *G.* 3. c. 26.

V. And

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V. And for the beter encouragement of the lending of money for the purpoſes of this act, and for the making a more clear, perfect, and certain ſecurity to the perſon or perſons who ſhall ſo advance their money, and for removing all doubts concerning the ſame, be it enacted by the authority aforeſaid, that all ſuch aſſignments or debentures, which ſhall be executed and given as aforeſaid for the ſum or ſums ſo to be lent and advanced, ſhall be regularly and carefully entered by the clerk or regiſter of ſaid commiſſioners in a book to be kept by him for that purpoſe in numerical order according to the time and priority, in which the ſame ſhall have been executed and granted, and to which book all the ſaid creditors ſhall at reaſonable times have acceſs; and the ſaid clerk or regiſter ſhall indorſe upon each and every of the ſaid aſſignments or debentures the number, according to which the ſame ſhall have been entered in ſaid book, and ſhall ſubſcribe his name under ſuch indorſement.

Debentures booked in numerical order,

acceſs to creditors, number indorſed and ſubſcribed by regiſter.

VI. And be it enacted by the authority aforeſaid, that the collector within the ſaid diſtrict, who ſhall collect the ſaid duties, and the treaſurer to ſaid local commiſſioners, into whoſe hand the ſaid tolls ſhall be paid, ſhall out of the firſt of the ſaid duties and tolls, which ſhall come reſpectively into their hands, pay and diſcharge half yearly, as the ſame ſhall become due, all intereſt due to the ſaid creditors reſpectively, according to and in ſuch order as it ſhall appear to ſuch collector or treaſurer from ſuch indorſements on the ſaid aſſignments or debentures, that the ſame have been granted; and from and after the expiration of twenty years from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, until which time it is not hereby intended the ſaid commiſſioners ſhall be compelled to pay any part of ſaid principal ſums, next after the payment of the intereſt due to the ſaid creditors, that ſuch collector and treaſurer ſhall pay and apply the ſum of five hundred pounds yearly and every year out of the ſaid duties and tolls to the diſcharge and payment of the principal ſums, which ſhall be then due and owing to the ſaid creditors, their executors, adminiſtrators or aſſigns, together with ſo much of ſaid annual ſums as during ſaid term of twenty years are to be applied to the payment of the intereſt of ſaid principal ſums, but afterwards, as ſaid principal ſums ſhall be diſcharged, will not be wanting for the payment of the intereſt thereof, according to and in the order aforementioned.

Intereſt paid half yearly by collector and treaſurer as by ſaid indorſements,

and from 20 years after 25 Dec. 1773, pay 500l. yearly to diſcharge principal.

VII. And be it enacted by the authority aforeſaid, that ſuch receipts and acknowledgements, as ſhall be given by the owners

or holders of the ſaid debentures for the payment of their intereſt and principal ſums in ſuch order and manner as aforeſaid ſhall be allowed by the treaſurer or vice treaſurers of this kingdom, or by the ſaid commiſſioners, as ſufficient vouchers or acquittances to ſuch collector or treaſurer in all accounts, which they ſhall furniſh or ſettle of or concerning the duties and tolls before mentioned.

Receipts by debenture owners allowed as vouchers.

VIII. And be it enacted by the authority aforeſaid, that the ſaid local commiſſioners, or any ſeven or more of them, or the perſons to be hereafter choſen and appointed local commiſſioners, or any ſeven or more of them, ſhall and may, if the ſame ſhall be found neceſſary, for the ſpace of twenty years from the twenty fifth Day of December one thouſand ſeven hundred and ſeventy three, after the payment of all the intereſt due to the ſaid creditors according to the order and priority aforeſaid, and not ſooner, apply and expend the remainder of the ſaid duties and tolls to the purpoſes of carrying on ſaid navigation; and from the expiration of the ſaid twenty years after the payment of all intereſt due to the ſaid creditors, and after the payment of the yearly ſum of five hundred pounds, and ſuch annual ſums as by diſcharge of any principal ſums ſhall not be wanting to pay the intereſt thereof, in diſcharge of the principal ſums remaining due to the ſaid creditors according to the order and priority aforeſaid, and not ſooner, apply and expend the remainder of the ſaid duties and tolls in proſecution of the ſaid work.

7 commiſſioners may, if neceſſary for 20 years from 25 Dec. 1773, after paying intereſt by priority apply remainder to the navigation.

IX. Be it enacted by the authority aforeſaid, that every perſon, who ſhall advance or lend the ſum of one hundred pounds to the ſaid local commiſſioners upon ſuch ſecurities as aforeſaid, ſhall from thenceforth be and continue a local commiſſioner of ſaid navigation to all intents and purpoſes whatſoever, during ſuch time as he ſhall continue poſſeſſed of ſuch ſecurity or debenture; and that any perſon, to whom he ſhall aſſign the ſame ſhall be and continue to be a local commiſſioner of ſaid navigation, during ſuch time as he ſhall continue to be poſſeſſed of ſuch ſecurity or debenture, to all intents and purpoſes; and that if the perſon poſſeſſed of ſuch ſecurity or debenture for one hundred pounds ſhall be a woman, it ſhall and may be lawful for ſuch woman by writing under her hand and ſeal to appoint and depute ſome fit and proper man to act and vote for her at all and every of the meetings of the local commiſſioners of ſaid navigation; and that no local commiſſioner, or her repreſentative, ſhall have more than one vote or voice upon any occaſion whatſoever.

Lender of 100*l.* a local commiſſioner while poſſeſſed of ſuch debenture,

and his aſſignee,

if a woman, may under hand and ſeal appoint a man to act & vote,

none to have above 1 vote.

A. D. 1773-4. Chap. 12.

Debentures transferable by indorſement, on notice & entry,

X. And be it enacted by the authority aforeſaid, that the perſon or perſons, to whom any aſſignment or aſſignments, debenture or debentures, ſhall be given and perfected by virtue of this act as aforeſaid, may by indorſement thereon transfer the right and benefit of the ſame; and ſuch indorſement upon notice to the clerk or regiſter of ſuch commiſſioners, and an entry thereof made in the book kept by him of the orders and proceedings of ſuch commiſſioners, and which ſuch clerk or regiſter ſhall upon requeſt without fee or reward make accordingly, and upon requeſt permit to be viewed at the uſual hour or time of his attendance, ſhall intitle the indorſee or aſſignee, or his executors, adminiſtrators and aſſigns to the ſole benefit of the ſum or ſums ſo transferred or aſſigned; and that the ſaid aſſignments or debentures may in like manner be again transferred or aſſigned by ſuch aſſignee or aſſignees, his, her, or their executors, adminiſtrators, or aſſigns, and ſo from time to time as often as occaſion ſhall require; and that after ſuch aſſignment made it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſame, or the ſum or ſums thereby transferred or aſſigned, or any part thereof.

ſo from time to time, not after in power of aſſignor.

A publick act.

XI. And be it enacted by the authority aforeſaid, that this act ſhall be adjudged, deemed, and taken as a publick act, and ſhall be judicially taken notice of by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

Continued 41 years from 25 Dec. 1773.

XII. And be it further enacted by the authority aforeſaid, that this act ſhall continue and be in force for forty one years from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and no longer.

Said duties to ceaſe as ſoon as others in ſaid diſtrict equal provided.

XIII. Provided always, that the duties, granted by ſaid acts and this preſent act within the diſtricts aforeſaid, ſhall ceaſe and determine, as ſoon as other duties within ſaid diſtrict of equal yearly value to the ſaid duties on beer and ale ſhall be provided for and granted by parliament in lieu thereof.

This act to determine on compleating the navigation and payment of debts and expences.

XIV. And provided always, that as ſoon as the ſaid communication by water between Belfaſt and Loughneagh ſhall be compleated, and all debts borrowed and expences incurred on account thereof be paid off, this act and every thing therein contained, ſhall ceaſe and determine, and be utterly void to all intents and purpoſes whatſoever.

CHAP.

A. D. 1773-4.

CHAP. XIII.

An act for allowing further time to persons in offices or employments to qualify themselves pursuant to an act, intitled, *an act to prevent the further growth of popery.*

Indemnity on qualifying pursuant to 2 Ann. c. 6, by 1 Aug. 1775.

WHEREAS several persons well affected to his Majesty's government and the church of Ireland, as by law established, may have through ignorance neglected, or been prevented by sickness or other unavoidable causes, from taking and subscribing the oaths, and making and subscribing the declaration, and from receiving the sacrament of the Lord's supper, according to the directions of an act made in this kingdom in the second year of the reign of her late Majesty Queen Ann, intitled, *an act to prevent the further growth of popery*, and by their inadvertency may have incurred great penalties: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that all and every person or persons, who have incurred any penalties or incapacities in the said act, intitled, *an act to prevent the growth of popery*, mentioned, by neglecting to qualify themselves according to the said act, shall be and are hereby indemnified, freed, and discharged of and from all incapacities, disabilities, forfeitures and penalties incurred by reason of such omission or neglect as aforesaid; and that no act or acts done by them or any of them, and not yet avoided, shall be questioned or avoided by reason of such neglect or omission, but all such acts shall be and are hereby declared and enacted to be as good and effectual, as if all and every such person and persons had taken and subscribed the said oaths, and received the said sacrament, and made and subscribed the said declaration in manner as aforesaid; any thing in the said act to the contrary notwithstanding; provided such person or persons do and shall take and subscribe the said oaths, and receive the said sacrament, and make, repeat, and subscribe the said declaration, in such manner and form, and in such place and places, as are directed and appointed by the said act *to prevent the further growth of popery*, on or before the first day of August, which shall be in the year of our Lord one thousand seven hundred and seventy five.

Officers in army preferred and qualifying in *Great Britain*, not obliged thereto when ordered here.

II. And whereas several of his Majesty's subjects are often preferred in the army residing in Great Britain, by which they are by the laws in force in that kingdom obliged to qualify themselves in some part of Great Britain by receiving the sacrament, taking the oaths, and subscribing the declaration within the time mentioned in such laws: and whereas the regiment or regiments, in which such officer or officers have commissions so granted to them, are often ordered into this kingdom, and put upon this establishment, by which a doubt has arisen, whether such officer or officers, notwithstanding his or their having qualified themselves in Great Britain for such commission according to the said laws, are not by the said laws in force in this kingdom obliged to qualify themselves after their arrival here for such commissions according to an act of parliament passed in this kingdom in the second year of the reign of her late Majesty Queen Ann, intitled, *an act to prevent the further growth of popery*: be it enacted by the authority aforesaid, that no officer or officers so preferred in Great Britain, who shall have qualified him or themselves for such commission or commissions according to and within the time limited by the said laws made in Great Britain, shall be obliged to qualify him or themselves in this kingdom for such commission or commissions, so granted to him or them in such regiment or regiments, after their arrival in this kingdom, and being put upon this establishment; any law, usage, or custom to the contrary notwithstanding.

III. Provided

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Not to reſtore to office already avoided.

III. Provided always, that this act, or any thing herein contained, ſhall not extend to reſtore or intitle any perſon or perſons to any office or employment already actually avoided by judgment of his Majeſty's courts of record, or already filled up by any other perſon; but that ſuch office or employment ſhall be and remain in the perſon or perſons, who is or are now entitled by law to the ſame, as if this act had never been made.

CHAP. XIV.

An act for the more effectual preventing the forging or altering the acceptance or indorſement of bills of exchange, or the numbers or principal ſums of accountable receipts for notes, bills, or other ſecurities for payment of money, or warrants or orders for payment of money on delivery of goods.

3 G. 2. c. 4. ineffectual, To forge, alter, or procure, or aſſiſt therein, any acceptance of bill of exchange, any accountable receipt for ſecurity for money, order for payment, or delivery of goods, value 5l. with intent to defraud, or publiſh knowing it falſe,

WHEREAS an act paſſed in the third year of his late Majeſty King George the ſecond, entitled, *An act for the more effectual preventing and farther puniſhing of forgery, perjury, and ſubornation of perjury, and to make it felony to ſteal bonds, notes, or other ſecurities for payment of money, and for the more effectual tranſporting felons, vagabonds, and others,* has been found ineffectual: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that if any perſon from and after the firſt day of May one thouſand ſeven hundred and ſeventy four ſhall falſely make, alter, forge, or counterfeit, or cauſe or procure to be falſely made, altered, forged, or counterfeited, or willingly act or aſſiſt in the falſe making, altering, forging, or counterfeiting, any acceptance of any bill of exchange, or the number or principal ſum of any accountable receipt for any note, bill, or other ſecurity for payment of money, or any warrant or order for payment of money, or delivery of goods, to the value of five pounds, with intention to defraud any perſon whatſoever, or ſhall utter or publiſh as true any falſe, altered, forged, or counterfeited acceptance of any bill of exchange, or accountable receipt for any note, bill, or other ſecurity for payment of money, or any warrant or order for payment of money, or delivery of goods to the value of five pounds, with intention to defraud any perſon, knowing the ſame to be falſe, altered, forged, or counterfeited, then, every ſuch perſon, being thereof lawfully convicted according to the due courſe of law, ſhall be deemed guilty of felony, and ſhall ſuffer death as a felon without benefit of clergy.

felony, death.

CHAP.

A. D. 1773-4.

CHAP. XV.

An act for making perpetual an act, entitled, An act to regulate the trials of controverted elections, or returns of members to ſerve in parliament.

WHEREAS an act paſſed in the eleventh year of the reign of his preſent Majeſty entitled, *An act to regulate the trials of controverted elections, or returns of members to ſerve in parliament*, hath been found equally honourable to the adminiſtration of our gracious ſovereign, and beneficial to the commons of this realm: in order therefore to hand down to poſterity the grateful remembrance of theſe advantages thus obtained, and to ſecure to our deſcendants the benefits thereof, we the commons in parliament aſſembled do beſeech his Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid act, and the ſeveral proviſions therein contained, ſhall be perpetual.

11 G. 3. c. 12. made perpetual.

CHAP. XVI.

An act for the more effectual proceeding againſt perſons ſtanding mute on their arraignment for murder, felony, or piracy.

BE it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, for the more effectual proceeding againſt perſons ſtanding mute on their arraignment for murder, felony, or piracy, that if any perſon from and after the firſt day of June next, being arraigned on any indictment or appeal for murder or felony, or on any indictment for piracy, ſhall upon ſuch arraignment ſtand mute or will not anſwer directly to the murder, felony, or piracy, ſuch perſon ſo ſtanding mute as aforeſaid ſhall be convicted of the murder, felony, or piracy charged in ſuch indictment or appeal; and the court, before whom he or ſhe ſhall be ſo arraigned, ſhall thereupon award judgment and execution againſt ſuch perſon in the ſame manner, as if ſuch perſon had been convicted by verdict or confeſſion of the murder, felony, or piracy charged in ſuch indictment or appeal;

Standing mute on arraignment for murder, felony, or piracy, convicted.

judgment & execution, as if by verdict or confeſſion.

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peal; and ſuch judgment ſhall have all the ſame conſequences in every reſpect, as if ſuch perſon had been convicted by verdict or confeſſion of ſuch murder, felony, or piracy, and judgment had been thereupon awarded.

CHAP. XVII.

An act for granting to his Majeſty, his heirs and ſucceſſors, the yearly ſums therein mentioned, and for the better ſupport of the foundling hoſpital and work houſe of the city of Dublin, and for increaſing the fund thereof.

Recital 11 & 12 G. 3. c. 11. ſ. 16.

WHEREAS by an act paſſed in this kingdom in the eleventh and twelfth years of his preſent Majeſty's reign, intitled, *An act for regulating and governing the foundling hoſpital and work houſe of the city of Dublin, and maintaining and ſupporting the foundling children then in ſaid houſe, or out at nurſe in the country, and which ſhould be thereafter received therein, or ſent to nurſe therefrom*, it was enacted, that from and after the twenty fourth day of June in the year one thouſand ſeven hundred and ſeventy two every poor child and children under the age of ſix years, who ſhall be found or taken up within the ſaid city or liberties thereunto adjoining, or ſent to the foundling hoſpital, ſhall be received and kept therein, or ſent to nurſe therefrom; and that all children, who ſhall appear to be ſix years old, and whoſe age ſhall not be thought to exceed eight years, and ſhall be preſented to the governors of ſaid hoſpital (eleven being preſent) or to the court of aſſiſtants, in ſaid recited act mentioned, or any five of them, ſhall be by them received; provided there ſhall be proper room in ſaid houſe, and provided ſuch child or children, ſo from time to time to be preſented for admiſſion, ſhall appear to be ſound in mind and body: and whereas the number of children of the age of ſix years old and under have of late years increaſed ſo far beyond the expectation of the governors, that the expence of ſupporting them has exceeded every proviſion, that could be made excluſive of grants of parliament: in order therefore that the funds, appointed for the ſupport of the foundling hoſpital and work houſe, ſhall be applied to the proper uſe, be it enacted by the king's moſt excellent majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four there ſhall not

children of 6 years and under increaſed,

the expence above every proviſion excluſive of grants,

to apply the funds to the proper uſe,

no child of 3 years & upwards received or ſent to nurſe on any account,

not be received into the ſaid hoſpital or ſent to nurſe therefrom any child, who ſhall appear to be of the age of three years old and upwards upon any account whatſoever; any law to the contrary notwithſtanding.

15 & 16 G. 3. c. 25. ſ. 4.

II. And whereas the preſent funds for ſaid hoſpital have been found inſufficient for the purpoſes thereof: be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June in the year one thouſand ſeven hundred and ſeventy four to the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix incluſive, and no longer, there ſhall be raiſed, collected, levied, and paid, from and upon every houſe in the city of Dublin, and the liberties thereof, of the value of ten pounds yearly and upwards according to the valuation for miniſters money the ſum of four pence in the pound yearly, over and above the ſums now payable thereout, the ſame to be paid by half yearly payments; four hundred pounds yearly of the produce thereof to be paid into the receipt of his Majeſty's treaſury to the uſe of his Majeſty, his heirs and ſucceſſors, and the ſurplus after payment of the ſaid four hundred pounds yearly to be paid to the governors of the ſaid foundling hoſpital and work houſe towards the ſupport of the ſaid foundling hoſpital and work houſe.

The hoſpital funds inſufficient,

from 24 June 1774, to 24 June 1776,

houſes in Dublin or liberties of 10l. yearly, as rated for miniſter's money, to pay 4d. per £. additional, half yearly,

400l. yearly to the treaſury,

ſurplus to ſaid hoſpital & work houſe.

III. And be it enacted by the authority aforeſaid, that the ſix pence per pound, and all other fees which ſhall or may be payable to the vice treaſurer or vice treaſurers, paymaſter or receiver general of this kingdom upon iſſuing or payment of the ſaid ſum of four hundred pounds yearly, or of any part thereof, ſhall be received by the ſaid vice treaſurer, or vice treaſurer's, receiver or paymaſter general for the uſe of his Majeſty, his heirs and ſucceſſors, during the term aforeſaid, and ſhall be duly accounted for by him or them to his Majeſty, his heirs and ſucceſſors, as a further and additional aid hereby given and granted.

Fees on ſaid 400l. accounted for as a further aid.

IV. And be it enacted by the authority aforeſaid, that the duty on houſes hereby granted ſhall be raiſed, anſwered, collected, and paid unto the governors of the ſaid hoſpital during the term aforeſaid at the ſame time, in the like manner, and by ſuch ways and means, and methods, and for ſuch purpoſes, ſave only as to the ſaid ſum of four hundred pounds yearly, as are appointed and directed by laws now in force relating to the ſaid foundling hoſpital and work houſe, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned,

Said duty raiſed & paid (ſave as to the ſaid 400l.) as by laws in force as to ſaid hoſpital.

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oned, expreſſed, and enacted again in the body of this preſent act.

Recital 11 & 12 *G.* 3. *c.* 11. *ſ.* 20.

V. And whereas by an act paſſed in the eleventh and twelfth years of his preſent Majeſty, intitled, *An act for better regulating the foundling hoſpital and work houſe in the city of Dublin, and increaſing the fund for the ſupport thereof; alſo for making a proviſion for appointing a* locum tenens *in caſe of the death of the lord mayor or the preſident of the court of conſcience*, it is among other things enacted, that the governors of the ſaid hoſpital, eleven at leaſt being preſent, ſhall have power and authority from time to time to licence all ſuch perſons, as ſhall own, keep, or drive any cart, car, or other carriage, that ſhall bring into the ſaid city or the liberties thereof, be it for hire or ſale, or otherwiſe, any bricks, ſtones, ſand, gravel, lime, or other materials employed or made uſe of in building or paving, and that for every ſuch cart, car, or other carriages, the ſum of twenty ſhillings be paid by way of fine: And whereas it is found inconvenient, that carts, cars, or other carriages, which are not employed to carry for ſale or hire any of the aforeſaid materials into the ſaid city or liberties, ſhould be obliged to take out licences as aforeſaid: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for any perſon or perſons whatſoever, who ſhall have any cart, car, or other carriage, employed in bringing into the ſaid city any bricks, ſtones, ſand, gravel, lime, or other materials uſually employed in building or paving for their own uſe, and not for ſale or hire, to uſe the ſame in manner aforeſaid without taking out any licence whatſoever, any thing in the herein before in part recited act in any wiſe notwithſtanding.

perſons may without licence employ carts, &c. bringing to *Dublin* materials for building or paving for their own uſe, & not for ſale or hire.

CHAP. XVIII.

An act for the better regulating the office of county treaſurers, and the duty of clerks of the crown in reſpect of preſentments; and to enable the grand jury of the county of Wicklow to raiſe money by preſentment for purchaſing of ground or houſes adjoining to the court houſe of ſaid county for the purpoſe of building additions to the ſaid court houſe.

Doubts on appointment of county treaſurers, ſecurity inſufficient,

WHEREAS many doubts have ariſen upon the laws relating to the appointment of treaſurers of counties, and the ſecurity thereby required to be given by them has been in many caſes inſufficient: be it enacted by the King's moſt excellent

lent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four an act paſſed in the thirty third year of his late Majeſty King George the ſecond, entitled, *An act for aſcertaining the manner of appointing county treaſurers and for the more effectual recovery of publick money*, and every clauſe therein contained, ſhall be repealed and made null and void; and that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy four every treaſurer of any county in this kingdom ſhall at every aſſizes held for the county, whereof he is treaſurer, or if in the county Dublin at every term, lay before the grand jury of ſuch county a full, true, and clear ſtate of his accounts, and of all money received and paid by him as treaſurer, diſtinguiſhing the reſpective times of ſuch receipts and payments, drawn in the way of debtor and creditor, and ſhall therein debit himſelf with ſuch ſum or ſums of money, as ſhall have been the balance ſettled upon the laſt ſtating of the accounts, or ſhall have been handed over to him as the balance by the laſt treaſurer; and alſo with all arrears due by any collector, receiver, or other perſon; and with the amount of all ſuch ſums of money as ſhall have been preſented to be raiſed at the preceding aſſizes (or iſſueable term if in the county of Dublin) ſpecifying the ſeveral purpoſes for which the ſame was preſented, the ſeveral perſons to whom the ſame is payable, and ſeparately ſtating the ſums to be raiſed upon each barony or half barony by name, and upon the county at large; and further with all fines that may be due for the uſe of ſaid county; and all ſums, if any, which he may have received as treaſurer excluſive of ſuch arrears, preſentments of the laſt aſſizes, (or iſſueable term if in the county of Dublin) and fines; and that he ſhall in the ſaid account take credit for all money actually paid by him ſince the laſt account, ſpecifying the ſums paid, the times of paying the ſame, the perſons to whom, and on what account the ſame were paid, and whether for the county at large, or for what barony or half barony, and alſo for all arrears and fines that ſhall remain unpaid to him, and for all ſuch part of the ſums preſented at the preceding aſſizes as ſhall not have been paid to him, diſtinguiſhing by whom due, and on what account, and finally ſhall ſtate the balance upon the whole; and at the foot thereof ſhall make an affidavit ſworn before one of the judges

33 G. 2. c. 13, repealed,

county treaſurers every aſſizes or term in Dublin, ſhall lay accounts before grand jury,

diſtinguiſh times of receipts and payments,

as debtor & creditor,

debit with laſt balance, & arrears, & preſentments,

ſpecify the purpoſes & to whom,

ſtate ſums on baronies & counties,

with fines due,

ſums received, & fines,

credit for actual payments,

the ſums, times, perſons, & account, for county or barony,

& for arrears & fines unpaid,

ſtate balance,

verify by affidavit at the foot before a judge,

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judges of aſſize, or one of the judges of the court of king's bench if in the county of Dublin, that the above account is a full and fair account, and that every article therein ſtated is true to the beſt of his knowledge and belief; which account and affidavit ſhall be lodged with the clerk of the crown attending ſaid aſſizes, (or term at the king's bench if in the county of Dublin) to be by him kept among the records of the county; and the ſaid clerk of the crown is hereby required to enter a copy of the ſaid account in a book to be by him kept for that purpoſe among the records of the county; and he ſhall at the foot thereof enter the groſs amount of the queries on the query book for ſaid aſſizes, or term if in the county of Dublin, in order that the ſame may be compared with the ſaid account; and that every grand jury may from time to time, as often as they ſhall think proper during the aſſizes, or during any term if in the county of Dublin, examine their county treaſurer or any other perſon or perſons upon oath, to be adminiſtered in open court by the judge of aſſize, or in the court of king's bench if in the county of Dublin, touching any voucher or other matter or thing relative to any part of ſaid accounts; and may enter in the book, wherein the treaſurer's accounts are entered, ſuch obſervations thereon, or on the ſaid account, as they ſhall think proper.

lodged with crown clerk,

a copy booked,

groſs amount of queries entered,

grand juries may examine on oath in court as to vouchers or accounts,

& enter obſervations.

II. And be it further enacted by the authority aforeſaid, that every treaſurer ſhall keep an office open from the hours of nine in the morning till three in the afternoon in the town, where the aſſizes were laſt held, or if in the county of Dublin in ſome place within the city or precincts of Dublin, every day for the ſpace of eight days next after each aſſizes, (or each term if in the county of Dublin) Sundays only excepted, for the purpoſe of paying all perſons who ſhall be entitled to receive any publick money from him; and if any treaſurer ſhall omit to keep ſuch open office during the time and hours aforeſaid, or ſhall wilfully and unneceſſarily delay to pay any demand, which as treaſurer he is required to pay, or ſhall accept, demand, or receive any money, matter, or other thing by way of premium, diſcount, or reward for paying any money as treaſurer, or make any deduction whatſoever in paying the ſame, or ſhall neglect to ſtate ſaid account in manner and form herein preſcribed, or neglect or refuſe to make the affidavit herein required at the foot thereof, and to lay the ſame before the grand jury, or ſhall have knowingly made any falſe or unfair entry in ſaid accounts, or

Treaſurers office open for payment from 9 till 3 where laſt aſſizes for 8 days after or each term,

not keeping ſuch office open,

delaying payment,

demanding reward,

any deduction,

neglecting ſaid account or affidavit,

falſe entry,

ſhall refuſe to be examined upon oath, and to anſwer all ſuch queſtions as may be aſked of him by the grand jury touching his accounts, or ſhall eraſe, alter, obliterate, efface, ſuppreſs, or deſtroy any paper, account, affidavit, or book, which ſhall by any law now in force, or hereafter to be enacted, be ordered to be kept by him as treaſurer, or ſhall refuſe to pay any perſon legally entitled to receive publick money from him, provided he ſhall have money applicable to ſuch perſon in his hand, or ſhall be guilty of any unfair practice or miſbehaviour in the execution of his office, he ſhall upon conviction by indictment or preſentment be fined in any ſum not exceeding twenty pounds, and be diſmiſſed from his office of treaſurer, and be declared incapable of being ever again elected or ſerving as treaſurer; and an entry of ſuch his diſmiſſion ſhall be made in the crown book, and alſo in the book of entry of his accounts kept by the clerk of the crown.

not anſwering on oath, eraſe, ſuppreſs, or deſtroy papers, &c. refuſe payment, or miſbehave, on conviction fined not above 20l. & incapable, diſmiſſion entered in crown book & of accounts.

III. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy four, whenever the treaſurerſhip of any county ſhall be vacant by the death, reſignation, removal, or diſmiſſal of the treaſurer, that the juſtices of the peace for ſuch county, or any ſeven of them, each having an eſtate of freehold therein of the clear yearly value of one hundred pounds at the leaſt, ſhall at the court or ſeſſion houſe between the hours of twelve in the forenoon and four in the afternoon on the firſt day of the next quarter ſeſſions or aſſizes, whichever ſhall firſt happen after fourteen days immediately following ſuch vacancy, or in caſe the ſaid vacancy ſhall have happened within fourteen days preceding ſuch ſeſſions or aſſizes, or at any ſeſſions or aſſizes, or term, if in the county of Dublin, then on the ſecond Monday in the next calendar month after ſuch vacancy ſhall have happened, at the court houſe where the aſſizes were laſt held, or at the ſeſſion houſe if in the county of Dublin, between the aforeſaid hours, aſſembled, and then and there by the majority of votes of ſuch juſtices, as ſhall be preſent, proceed to elect a fit or ſufficient perſon to be treaſurer of ſuch county; and the ſenior juſtice preſent, qualified to vote at ſuch election, ſhall in every ſuch aſſembly preſide as chairman, and ſhall take the votes of the other juſtices, adminiſter the oath of qualification herein after mentioned, and ſhall not himſelf give his vote except in caſe of an equality of voices.

On vacancy 7 juſtices of 100l. a year freehold, at ſeſſion houſe, ſhall elect treaſurer by majority of votes between 12 and 4 the 1ſt day of next ſeſſions or aſſizes after 14 days, if vacancy within 14 days before, on the 2d Monday next month, ſenior chairman, to take votes, give oath, not to vote but on equality.

IV. Provided always, that no juſtice ſhall be allowed to give his vote in any ſuch election, who ſhall be a candidate for ſuch treaſurerſhip,

No candidate to vote,

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treaſurerſhip, or who ſhall not firſt take the following oath, if thereunto required by any perſon preſent.

previous oath if required.

I *do ſwear, that I am a juſtice of the peace for the county of and that I have an eſtate of freehold in ſaid county of the clear yearly value of one hundred pounds ſterling at the leaſt above all charges payable out of the ſame.*

Recognizance by treaſurer in court immediately after election before chairman & any juſtice qualified,

V. And provided always, that no perſon, who ſhall at any time hereafter be elected treaſurer, ſhall be capable of ſerving in ſaid office, unleſs he ſhall immediately after his election in open court enter into a recognizance before the chairman of the meeting and any other juſtice preſent, qualified as aforeſaid to vote at ſuch election (which recognizance they are hereby impowered to take) in the ſum of ten thouſand pounds, in caſe the election be held for the treaſurerſhip of the county of Dublin, in the ſum of five thouſand pounds in caſe the election be held for the treaſurerſhip of the counties of Cork or Meath, in the ſum of four thouſand pounds in caſe the election be held for the county of Kerry, in the ſum of three thouſand five hundred pounds in caſe the election be held for the counties of Wexford or Derry, in the ſum of three thouſand pounds in caſe the elections be held for the counties of Galway, Antrim, Armagh, Down, Kildare, Cavan, Mayo, Sligo, or Weſtmeath, in the ſum of two thouſand five hundred pounds in caſe the election be held for the counties of Donegal, Tipperary, Kilkenny, or Limerick, in the ſum of two thouſand pounds in caſe the election be held for the counties of Lowth, Tyrone, Roſcommon, Wicklow, Monaghan, Carlow, King's county, or Queen's county, in the ſum of one thouſand five hundred pounds in caſe the election be held for the counties of Fermanagh or Clare; and in the ſum of one thouſand pounds in caſe the election be held for the counties of Waterford, Longford, or Leitrim; and ſhall procure two ſufficient ſureties at the ſame time to enter into a recognizance in like manner, each in a ſum equal to one half of the ſum in which ſuch treaſurer ſhall bind himſelf; the condition of which recognizance ſhall be, that ſuch treaſurer ſhall juſtly and truly account in manner and form and at the times by this act required, or to be required by any law that hereafter may be made relating to the ſame, that he ſhall at all times juſtly and truly pay and account for all money, which he ſhall have received as treaſurer; and that he ſhall duly and faithfully diſcharge the duties of his office in every reſpect; and that he, his heirs,

and 2 ſureties in a recognizance, each in half the ſum, conditioned to account juſtly as by this or any law hereafter, & truly pay &c. and fully diſcharge duty, and deliver all books, &c. and balance to ſucceſſor,

heirs, executors, or adminiſtrators, ſhall and will upon his death, reſignation, removal, or diſmiſſion, deliver to his ſucceſſor in office all books, papers, affidavits, and accounts, depoſited with or kept by him as treaſurer, and pay and hand over to ſaid ſucceſſor ſuch balance of money, as ſhall appear to be in his hands, or ſhall be due by him: and further, unleſs each of ſuch ſureties ſhall at the foot of their recognizance make affidavit reſpectively before the ſenior, or any juſtice preſent, who is hereby empowered to take the ſame, that he is really and *bona fide* worth the ſum mentioned in his ſaid recognizance over and above all his juſt debts, and excluſive of any property of which he is tenant for life only; and that in default thereof ſuch election ſhall be null and void; and the ſaid juſtices ſhall on the next day and at the ſame place, and between the ſame hours, proceed in like manner to elect a proper and ſufficient perſon to be treaſurer: and in caſe at any meeting for the election of a treaſurer no proper or ſufficient perſon ſhall offer himſelf to be choſen, or in caſe the perſon, who ſhall be choſen, ſhall not comply with and perform all and ſingular the requiſites herein directed to be performed on the part of ſuch perſon; or in caſe ſeven juſtices, qualified as aforeſaid to vote, ſhall not attend, then the juſtices of the peace for ſuch county, qualified as aforeſaid, or any ſeven of them, ſhall on the Monday next enſuing the time, hereby directed for holding ſaid election, aſſemble and proceed to election; and in caſe no treaſurer ſhall be choſen at ſuch aſſembly, then on the Monday following, and ſo on upon every ſucceſſive Monday, until a treaſurer ſhall be elected, who ſhall be capable of ſerving in ſaid office, and perform the requiſites aforeſaid; and every recognizance taken as aforeſaid ſhall be delivered by the chairman to the clerk of the peace, who is required to attend every ſuch aſſembly, to be by him depoſited and duly entered in his Majeſty's court of exchequer, as ſoon after as he conveniently can enter the ſame.

affidavit at the foot by each ſurety of being worth the ſum above debts and tenancy for life only,

in default, election void, another next day,

or on every ſucceeding Monday till one capable elected,

recognizance delivered to clerk of peace, required to attend,

depoſited in exchequer.

VI. And to prevent any inconvenience that may ariſe from the deficiency or uncertainty of the ſecurity given by perſons, who ſhall be treaſurers of counties, upon the commencement of this act, be it further enacted by the authority aforeſaid, that every perſon, who ſhall be treaſurer of any county, on the twenty fourth day of June one thouſand ſeven hundred and ſeventy four ſhall at the next ſummer aſſizes or term, if in the county of Dublin, enter into a recognizance before one of the judges of aſſize, or of the court of king's bench if in the county of Dublin, conditioned as herein before enacted, in ſuch ſum, as, together with the ſum he ſhall before have been bound in, ſhall amount

Treaſurers on 24 June 1774 ſhall next aſſizes or term give recognizance to make up full ſum required,

and like ſureties and affidavit,

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amount to the ſum herein required for any treaſurer to be elected for ſuch county to enter into, and he ſhall alſo procure two ſufficient ſureties at the ſame time to enter into a recognizance of the like condition, each in a ſum equal to one half of the ſum in which ſuch treaſurer ſhall then bind himſelf, and to make ſuch affidavit at the foot thereof, as the ſureties are herein before required to make; and that in default thereof the judge of aſſize, or judge of the court of king's bench if in the county of Dublin, ſhall and he is hereby required to diſmiſs the ſaid treaſurer from his office, and to cauſe ſuch diſmiſſion to be entered in the crown book, and likewiſe in the book of entry of the treaſurer's accounts kept by the clerk of the crown.

or diſmiſſed.

Treaſurer or any other examined every aſſizes or term in court, if required by grand jury, on oath as to exiſtence and property of ſureties,

others may be required,

VII. And in order the more effectually to oblige every treaſurer during his continuance in office to keep up a good and ſufficient ſecurity, be it enacted by the authority aforeſaid, that the judge of aſſize or king's bench, if in the county of Dublin, ſhall and may at every aſſizes (or term) if required by the grand jury, examine the treaſurer or any other perſon or perſons in open court upon oath touching the exiſtence and property of his ſureties; and if he ſhall find any reaſon to apprehend, that either or both of his ſureties are dead or inſufficient, he ſhall require him to procure another ſurety or ſureties in his or their room, and if ſuch treaſurer ſhall refuſe to be examined, or to anſwer upon oath, or to procure other ſureties, who ſhall enter into recognizance, and make the affidavit by this act required, he ſhall diſmiſs ſuch treaſurer from his office, and cauſe ſuch diſmiſſion to be entered in the crown book, and alſo in the book of entry of the treaſurer's accounts kept by the clerk of the crown.

refuſing to anſwer or procure, diſmiſſed,

entered.

No treaſurer to be crown or peace clerk, a juſtice or grand juror for the county.

VIII. Be it further enacted by the authority aforeſaid, that no perſon, being treaſurer of any county, ſhall during his continuance in ſaid office be capable of being clerk of the crown or peace, or ſhall exerciſe the office of a juſtice of peace therein, or be on a grand jury for ſuch county; and that every recognizance to be taken at the aſſizes, or term, if in the county of Dublin, by virtue of this act, ſhall within three months after ſuch aſſizes or term be depoſited and duly entered by the clerk of the crown in his Majeſty's court of exchequer; and that every recognizance, entered into by virtue of the act hereby repealed, ſhall before the firſt day of July one thouſand ſeven hundred and ſeventy four in like manner be depoſited and duly entered in ſaid court and be to all intents and purpoſes as valid and in as full force, as if the ſaid act was not repealed; and that ſuch proceſs may iſſue thereon, and on every other recognizance to be entered

recognizances in 3 months depoſited in exchequer,

uſual proceſs thereon.

in

in ſaid court by virtue of this act, as is uſual in caſes of recognizances entered into in ſaid court.

Money recovered paid to treaſurer, and next accounted for.

IX. Provided always, that all money, which at any time ſhall be recovered on any of the ſaid recognizances, ſhall be paid to the treaſurer of the county for the time being, for whoſe uſe ſuch recognizance was entered into, and be accounted for by him in his next accounts.

On diſmiſſion appointee by grand jury, or a knight of the ſhire deemed ſucceſſor till new election,

only for receiving the balance, papers, &c. and money from collectors,

X. Be it further enacted by the authority aforeſaid, that upon the removal or diſmiſſion of any treaſurer of a county ſuch perſon, as the grand jury ſhall appoint, which appointment every grand jury is hereby empowered to make, and in failure of ſuch appointment then one of the knights of the ſhire for ſuch county, ſhall, until a new treaſurer is elected and enters into office, be the treaſurer, and be deemed the ſucceſſor in office to the perſon diſmiſſed for the purpoſes of receiving from ſuch perſon ſo diſmiſſed all the balance of money, that ſhall be in his hands, and the books, papers, affidavits, and accounts depoſited with or kept by him as treaſurer; and alſo for the purpoſe of receiving from the ſeveral collectors or other perſons ſuch money as they would have been obliged to pay to ſaid treaſurer, had he continued in office, and for no other purpoſe whatſoever: all which balances, books, papers, affidavits, accounts, and money, ſuch perſon is required to receive and detain, until a new treaſurer ſhall be elected and enter into office, to whom he ſhall hand over and deliver the ſame.

handed over to new treaſurer.

Said accounts evidence in ſuit againſt treaſurer and ſureties.

XI. And be it further enacted by the authority aforeſaid, that the ſeveral accounts, which have been or ſhall be as aforeſaid laid before the grand jury, and ſworn to by the treaſurer, ſhall in all actions, proſecutions, or ſuits to be commenced againſt the treaſurer, or his ſureties, or his or their heirs, executors, or adminiſtrators, be allowed in all courts of law and equity as evidence againſt ſuch treaſurer and his ſureties, his and their heirs, executors, and adminiſtrators reſpectively.

Annual preſentments on counties for treaſurers at aſſizes or iſſuable terms.

XII. And in order to make a ſufficient compenſation to the treaſurer for the expence and trouble, he may be put to by reaſon of his office, be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of every county at the aſſizes, or at the iſſuable terms if in the county of Dublin, to preſent to be raiſed upon the county at large, and paid to the treaſurer, ſuch ſum or ſums of money, as ſhall not in the whole exceed in the year the ſum of one hundred pounds in the counties of Cork and Dublin; of ſixty pounds in the counties of Meath and Kilkenny; of ſeventy pounds in the county of Galway; of forty pounds in the counties of Kerry, Donegall, Derry, Tipperary, Armagh, Roſcommon, Wicklow, Fermanagh, Clare, Waterford,

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Waterford, Antrim, and Mayo; of thirty pounds in the counties of Tyrone, Leitrim, Kildare, Cavan, Limerick, Louth, Monaghan, Weſtmeath, Carlow, King's County, and Wexford; of twenty five pounds in the county of Sligo; and of twenty pounds in the counties of Longford, Down, and Queen's County.

Clerk of peace to attend every meeting to elect treaſurer, penalty 10l. unleſs ſickneſs or neceſſity, on preſident's warrant, to county infirmary.

XIII. And be it enacted by the authority aforeſaid, that the clerk of the peace ſhall attend every meeting of the juſtices of the peace for the purpoſe of electing a treaſurer for the county, whereof he is clerk of the peace, under the penalty of forfeiting for each offence (unleſs he ſhall have been detained by ſickneſs or unavoidable neceſſity) the ſum of ten pounds, to be levied by diſtreſs or ſale of his goods or chattles by warrant under the hand and ſeal of the juſtice preſiding at ſuch meeting, and to be paid to the infirmary of the county in which ſuch meeting was held.

Crown clerk without fee to enter each aſſizes or term copy of treaſurer's account, and give treaſurer a full copy of queries diſcharged immediately after ruled, ſigned by him or deputy, and in four days copy of preſentments allowed, penalty not giving copies, not entering account, or groſs amount of queries, not above 5l. ſuſpended till paid,

XIV. And whereas it is expedient to prevent the miſchiefs that may ariſe from the clerk of the crown neglecting his duty in reſpect of preſentments: be it further enacted by the authority aforeſaid, that every clerk of the crown ſhall without fee or reward at each aſſizes (or term, if in the county of Dublin) enter a copy of the treaſurer's account in manner herein directed, and ſhall alſo without fee or reward immediately after the query book ſhall be ruled by the judge of aſſize (or court of king's bench, if in the county of Dublin) give to the treaſurer a full and perfect copy of all queries diſcharged at ſaid aſſizes or term, ſigned by himſelf or his deputy; and ſhall within four days after each aſſizes (or iſſuable term) give to the treaſurer a copy of all the preſentments made and allowed at ſaid aſſizes or term for the raiſing or paying of money ſigned likewiſe by himſelf or his deputy; and in caſe he ſhall neglect to give the ſame or either of them at the times aforeſaid, or to enter the ſaid account, or the groſs amount of the queries on the query book for ſaid aſſizes or term at the foot thereof, and proof of any ſuch neglect ſhall be made to the ſatisfaction of the judge of aſſize, or of the court of king's bench if in the county of Dublin, he ſhall be fined in any ſum not exceeding five pounds, and be ſuſpended from his office, until he ſhall pay the ſame.

in 2 months after aſſizes or term make up queries for the ſucceeding, on affidavit delivered to clerk of peace,

And every clerk of the crown ſhall within two months after each aſſizes or term if in the county of Dublin make up the queries for the ſucceeding aſſizes or term, when he ſhall make affidavit in writing before one of the judges of aſſize or judge of the king's bench, if in the county of Dublin, that he has entered a full, true, and exact query in the query book upon every preſentment for raiſing or paying money, and every fine whatever which has not been accounted for or diſcharged, which affidavit

ſhall

ſhall be delivered to the clerk of the peace to be by him kept and preſerved; and if he ſhall omit to carry forward every query, which ſhall not have been diſcharged, together with ſuch order as ſhall have been made by the court thereupon, or ſhall neglect or omit to enter a full, true, and exact query upon every one preſentment, made at the laſt aſſizes or term, if in the county of Dublin, for raiſing and paying money, and likewiſe to frame a query in the query book upon every fine impoſed, wherein the county is entitled to any ſhare, ſpecifying how much thereof the county is entitled unto, and from time to time to carry forward the ſame, unleſs diſcharged, or ſhall efface, obliterate, tear, alter, deſtroy, or ſuppreſs any record of the county, or ſhall refuſe to make ſuch affidavit as aforeſaid, he ſhall, if convicted thereof by indictment or preſentment, be fined in any ſum not exceeding one hundred pound, and be diſmiſſed from his office of clerk of the crown; any law, grant, or cuſtom to the contrary notwithſtanding, and be incapable of ever after ſerving in ſaid office.

if he carries not forward every query not diſcharged, with order of court, or enter not exact query on every preſentment, and fine, wherein the county intitled, ſpecifying how much, or not carry forward, or efface, ſuppreſs, &c. any record, or refuſe ſuch affidavit, fined not above 100l. diſmiſſed, and incapable.

XV. Be it further enacted by the authority aforeſaid, that all fines whatſoever, which ſhall be impoſed by virtue of or in conſequence of this act, and not otherwiſe herein diſpoſed of, ſhall when levied be paid to the treaſurer of the county, in which the ſame ſhall be impoſed, to be by him accounted for to the ſaid county; and that the clerk of the crown ſhall *find and keep among the records of the county all affidavits made in purſuance of or by virtue of this act, except ſuch as are directed by the ſame to be otherwiſe diſpoſed of; and that it ſhall be lawful for the grand jury, and they are hereby required, at the aſſizes or term, if in the county of Dublin, next after any recognizance ſhall be entered in the court of exchequer under the direction of this act, to preſent ſuch ſum of money, as ſhall appear upon oath to have been neceſſarily expended in the entering of the ſame, to be raiſed upon the county at large, and paid to the perſon who ſhall have expended the ſame. And that if any perſon or perſons ſhall be convicted of having wilfully and knowingly ſworn falſely in any affidavit, or examination made or had in conſequence of or by virtue of this act, he ſhall ſuffer ſuch puniſhment, as perſons guilty of wilful and corrupt perjury are by the laws ſubject unto.

Fines, not otherwiſe diſpoſed, paid to treaſurer, to be accounted for, crown clerk to keep all affidavits, ſave as directed, expence of entering recognizance preſented on county, and paid,

falſe ſwearing puniſhed as wilful perjury.

XVI. And whereas a doubt has been conceived, whether by the laws now in being grand juries are impowered to preſent money for the purchaſing of ground or houſes adjoining to the court houſes or gaols of this kingdom in order to enlarge the

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Wicklow grand jury may preſent, and judges of aſſize confirm, not above 400l. 100l. yearly, to purchaſe ground or houſes adjoining court-houſe and gaol, to enlarge the ſame.

ſaid court houſes and gaols, and to erect civil bill courts, jury rooms, and other convenient offices thereon: and whereas the court houſe of the town of Wicklow is at this time too narrow and confined for the buſineſs of ſaid county: be it enacted by the authority aforeſaid, that the grand jury of the county of Wicklow at any aſſizes, that ſhall be held from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four, are hereby impowered to preſent ſuch ſum or ſums, as they ſhall think neceſſary, for the purchaſing of a plot of ground, houſe or houſes, adjoining the court houſe and gaol of ſaid county for the purpoſe of enlarging and rendering the ſame more convenient for doing the buſineſs of ſaid county, and the judges of aſſize are hereby required to confirm ſuch preſentment; provided that the ſum ſo preſented for purchaſing ſuch ground, houſe, or houſes, ſhall not exceed in the whole the ſum of four hundred pounds; and that no more than one hundred pounds of the ſame ſhall be raiſed within any one year to be applied for the purpoſe aforeſaid.

CHAP. XIX.

An act for the better and more certain valuation of houſes in counties of cities and counties of towns.

WHEREAS a doubt hath ariſen, whether all buildings for charitable purpoſes and other publick buildings in counties of cities and counties of towns are not liable to be valued and charged with a proportion of taxes and rates under the ſeveral acts of parliament, made for the valuation of houſes: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that no hoſpitals, publick infirmaries, alms houſes, charity ſchools, publick workhouſes, cuſtom houſes, or the offices appurtenant thereto, and that no publick exchanges, mayoralty houſes, publick market houſes, ſhambles for the ſale of fleſh or fiſh, the King's barracks and guardhouſes, the publick coal yards, and gaols, and houſes of correction, now built or hereafter to be built, ſhall be included in any valuation hereafter to be made by valuators under any act of parliament in this kingdom, nor ſhall be charged with any part or proportion of ſuch rates or taxes; and in caſe the ſame or any of them have been valued by the valuators appointed under the ſaid

Publick buildings not included in any valuation under any act, nor charged with rates or taxes,

ſtruck out of former valuations.

act, in any valuation or valuations by them or any of them heretofore made, that the ſame ſhall be ſtruck out of ſuch valuation or valuations. A. D. 1773-4.

Oath taken by valuators.

II. And be it enacted by the authority aforeſaid, that inſtead of the oath now taken the following oath ſhall be taken by every valuator hereafter to be appointed under the ſaid acts, (to wit.)

I A. B. do ſwear, that I will to the beſt of my knowledge, ſkill, and judgment, execute the office of a valuator of dwelling houſes, offices, cellars, ſtables, linneys, and yards in the city of and in the town of and ſuburbs thereof, without favour, affection, malice or ill will to any perſon or perſons whatſoever.

So help me God.

Not extended to an act this ſeſſion, c. 22.

III. Provided always, that nothing herein contained ſhall extend to an act paſſed this ſeſſion of parliament, entitled, *An act for paving the ſtreets, lanes, quays, bridges, ſquares, courts, and alleys within the city and county of the city of Dublin and other places therein mentioned, and for other purpoſes.*

CHAP. XX.

An act for amending the laws relative to the lighting and cleanſing of ſeveral cities, and for eſtabliſhing of market juries therein; and for other purpoſes.

Lights.

Recital 5 G. 3. c. 15. ſ. 11. veſtries therein to direct lamps,

WHEREAS by an act made in the fifth year of his preſent Majeſty's reign, entitled, *An act for continuing, reviving, and amending ſeveral temporary ſtatutes*, proviſion is made, that in the ſeveral cities therein deſcribed the ſeveral and reſpective pariſhes in ſuch cities ſhall at their reſpective veſtries direct all matters relative to the erecting of lamps and lighting the ſame within their reſpective pariſhes: and whereas it is found neceſſary to make ſome new regulations with reſpect to the ſame: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that ſuch veſtries ſhall be held in their reſpective pariſhes on ſome day between the firſt day and fifteenth day of Auguſt in every year, of which previous notice ſhall be given in the uſual manner on the firſt Sunday in the month of Auguſt in

ſuch veſtries held between 1ſt and 15th Auguſt yearly,

uſual notice the 1ſt Sunday,

every

every year; and ſuch veſtries ſhall have power to adjourn from time to time, as ſhall be judged expedient: provided ſuch adjournments ſhall not be for a longer time than for twenty days from the day of the firſt aſſembling of ſuch veſtries reſpectively, excluſive of the day of aſſembling and the day to which ſuch veſtries reſpectively ſhall be adjourned.

may adjourn, not above 20 days from firſt aſſembling excluſive.

II. And be it enacted by the authority aforeſaid, that the ſaid ſeveral and reſpective pariſhes ſhall at their ſaid reſpective veſtries, appoint ſuch perſons, not exceeding nine in number or leſs than five, as they ſhall think proper, who ſhall upon oath, or affirmation if quakers, to be adminiſtered to them by the reſpective miniſters or curates, applot upon the ſeveral inhabited houſes in their reſpective pariſhes according to the value of the ſaid houſes reſpectively a juſt proportion of the expence of erecting, lighting, and maintaining ſuch lamps in their reſpective pariſhes; and ſhall with all convenient ſpeed return ſuch applotments to the ſaid reſpective veſtries, who ſhall confirm or alter the ſame in ſuch manner, as ſhall be agreeable to juſtice; and the ſums ſo applotted ſhall be collected and levied by the perſons and in the manner directed by the ſaid recited act.

Applotters appointed at veſtry, not above 9, or under 5,
on oath, to applot on inhabited houſes according to value the expence of ſuch lamps,
returned to, confirmed, or altered in, veſtry,
levied as by 5 *G.* 3. *c.* 15.

III. Provided always, that the ſum, ſo to be applotted upon any one houſe, ſhall not for any one year exceed the ſum of ten ſhillings or be leſs than one ſhilling; and in caſe any perſon or perſons ſhall erect before his, her, or their houſes, and keep lighted at his, her, or their own expence, a globe or lamp, ſuch houſes ſhall not be charged with more than five ſhillings.

Not above 10s. a year on one houſe, nor under 1s
if a private globe, not above 5s.

IV. And be it enacted by the authority aforeſaid, that the principal immediate occupiers of all ſuch houſes ſhall, each and every of them, be rateably charged, for themſelves and thoſe deriving under them in each houſe reſpectively, in proportion to ſuch valuation as herein before directed, with the yearly ſum to be paid by him, her, or them for the aforeſaid purpoſes; and ſhall pay the ſame yearly to the perſons appointed to collect the ſame; and where there ſhall be different perſons or families reſident in any ſuch houſe deriving under ſeparate intereſts and not under the other in the ſame houſe, that then and in ſuch caſe the ſaid applotters ſhall direct, what portion of the charge laid on ſaid houſe ſhall be paid out of the ſeveral parts of ſaid houſe reſpectively held by different perſons as aforeſaid.

Principal immediate occupiers charged for thoſe deriving under them,

where different perſons under ſeparate intereſts applotters to direct what portion.

V. And be it enacted by the authority aforeſaid, that ſo much of the ſaid recited act, as directs, that ſuch applotments ſhall be made in proportion to the miniſter's money, ſhall be repealed.

5 *G.* 3. *c.* 15. *ſ.* 12. as to applotment by miniſter's money repealed.

VI. And

A. D. 1773-4. Chap. 20.

VI. And be it enacted by the authority aforeſaid, that if any perſon, ſo to be appointed an applotter, ſhall refuſe or neglect to act as ſuch according to the directions herein before mentioned, every ſuch perſon ſhall forfeit for every ſuch offence the ſum five of pounds, to be recovered by the miniſter or curate of ſuch pariſhes reſpectively by civil bill at the aſſizes, together with ſuch ſums as ſuch miniſter or curate ſhall actually expend in ſuch ſuit; and ſuch penalty, when recovered, ſhall be applied to the purpoſes herein before mentioned: and in caſe any of the perſons ſo appointed applotters ſhall happen to die, or ſhall refuſe or neglect to act, the ſurviving or other applotters may proceed to applot and do every other act herein before directed notwithſtanding ſuch death, neglect, or refuſal; and the ſame ſhall be as effectual, as if all the applotters originally appointed had joined therein.

Applotter neglecting forfeits 5l. by civil bill with expences, by miniſter or curate,

ſurvivors or others on neglect may applot and act.

VII. And be it enacted by the authority aforeſaid, that if any of the ſaid pariſhes ſhall neglect to carry the proviſions herein before mentioned effectually into execution on or before the firſt day of October in any year, then and in ſuch caſe the mayor and common council reſpectively of ſuch city, in which there ſhall be ſuch neglect, ſhall for that year only, to be computed from the firſt day of Auguſt preceding, be inveſted with all and ſingular the powers, hereby and by the ſaid recited act veſted in the miniſter or curate and the pariſh ſo neglecting to execute the ſame, for the purpoſe of erecting, lighting, and trimming lamps in ſuch pariſh.

On neglect of the pariſh mayor and common council for that year from 1ſt Auguſt impowered to act.

VIII. And be it enacted by the authority aforeſaid, that the ſaid recited act, ſo far as the ſame is not hereby altered, ſhall remain in full force and virtue.

5 *G.* 3. *c.* 15. ſave as altered, in force.

IX. And to prevent frauds on the making up and ſelling of victuals and proviſions in ſuch cities be it enacted by the authority aforeſaid, that the ſheriffs of ſuch cities reſpectively ſhall ſummon and return to the juſtices of the peace at the general quarter ſeſſions for ſuch cities reſpectively, upon a precept to be iſſued by them for that purpoſe, twenty four of the citizens of ſuch cities reſpectively, twelve of whom ſhall be ſworn as a market jury for ſuch cities reſpectively; and the juſtices of ſuch cities reſpectively ſhall cauſe ſuch market juries to be ſworn in open court at the ſeſſions one by one, that he will well, truly, and diligently execute the office of a market juror in ſuch city without favour or affection, malice, or illwill to any perſon or perſons whatſoever; and the ſaid market jury for the time being, or any one or more of them, are hereby impowered and required at

Markets.

24 citizens returned to ſeſſions on ſheriff's ſummons,

12 a market jury,

ſworn in court one by one,

any one at ſeaſonable hours to viſit and inſpect,

A. D. 1773-4. Chap. 20.

ſeaſonable hours to viſit the markets, ſtore houſes, working houſes, cellars, and ſhops, in ſuch cities reſpectively, where proviſions and victuals are ſold, or made up, or making up for ſale, in ſuch cities reſpectively, and to inſpect the quality of ſuch proviſions and victuals, or any proviſions or victuals fraudulently or illegally made up; and in caſe ſuch jury, or any one or more of them, ſhall find any unwholſome or bad proviſions, or victuals fraudulently or illegally made up, in every ſuch caſe the ſaid jury, or any one or more of them, are hereby empowered to ſeize ſuch proviſions or victuals, and the perſon or perſons expoſing the ſame to ſale, or claiming to be the owner or owners thereof, and to carry ſuch proviſions and victuals and ſuch perſon or perſons before the mayors of ſuch cities reſpectively for the time being, who are hereby empowered to diſpoſe of ſuch proviſions and victuals, and of ſuch perſon or perſons according to law; and each market jury ſo ſworn, or any one or more of them, ſhall have full power and authority to execute the ſaid office of a market jury from the time of their being ſworn, until the next market jury ſhall be ſworn at the enſuing general quarter ſeſſions of the peace to be held for ſuch cities reſpectively; and if any perſon, being duly ſummoned and returned by ſuch ſheriffs to ſerve as a market juror as aforeſaid, ſhall refuſe or neglect to appear purſuant to the ſaid ſummons, and take the oath aforeſaid, or ſhall refuſe or neglect to execute the ſaid office, it ſhall be lawful for ſuch juſtices at their ſeſſions, and they are hereby impowered, to impoſe a fine not exceeding ſix pounds on every ſuch perſon; and the mayor of every ſuch city is hereby impowered and required to iſſue his warrant for the levying ſuch fine by diſtreſs and ſale of the goods and chattles of ſuch perſon or perſons; and the ſum ſo levied ſhall be applied to ſuch charities, as ſuch mayor ſhall direct.

ſeize proviſions unwholſome or illegal,

and carry with owners before mayor, diſpoſed of as by law;

to act 'till next jury ſworn at ſeſſions;

juror not appearing, or taking oath, or executing fined not above 6l.

levied by mayor's warrant to charities.

X. And be it further enacted by the authority aforeſaid, that ſuch jury ſo ſworn as aforeſaid, or any one or more of them, ſhall have full power and authority to examine the weight of bread in the ſeveral ſhops or bake-houſes of bakers, and to ſeize ſuch bread as ſhall be found deficient in weight, and to carry the ſame before the mayor to be diſpoſed of as aforeſaid.

Jury may examine and ſeize bread deficient, and carry before mayor:

XI. And be it enacted by the authority aforeſaid, that the ſaid jury, or any one or more of them, ſhall have power to examine the ſeveral weights and meaſures in ſuch city, and, if any of the ſaid weights or meaſures be found deficient in or leſs than the ſtandard weight or meaſure, to ſeize the ſame, and to carry the

Or weights and meaſures under ſtandard,

before chief magiſtrate.

the ſame to the chief magiſtrate of ſuch city to be by him diſpoſed of according to law.

XII. And be it enacted by the authority aforeſaid, that the chief magiſtrate of every ſuch city ſhall publiſh in ſome news paper, if any ſuch be printed in ſuch city, once at leaſt in every month the aſſize of bread, under the penalty of five pounds for every ſuch omiſſion; to be recovered by civil bill before the next going judges of aſſize by any perſon, who ſhall ſue for the ſame, the whole to go to the informer.

Aſſize of bread publiſhed in news; if any in ſuch city, once a month, penalty 5l. by civil bill to informer.

XIII. And whereas by the ſaid recited act proviſion is made to prevent nuiſances in the ſtreets and lanes of ſuch cities, but the offenders therein can be convicted only before the mayors or other magiſtrates of ſuch cities: be it enacted by the authority aforeſaid, that ſuch offenders may be tried and convicted before any alderman of ſuch city; and ſuch trial and conviction ſhall be as valid and effectual, as if the ſame were had before the mayor or other magiſtrate of ſuch city; and ſuch alderman is hereby impowered to examine witneſſes upon oath for the purpoſe aforeſaid, and to grant his warrant under his hand and ſeal for levying the penalties upon ſuch convictions.

Nuiſances.

Conviction for nuiſance before an alderman as valid as before mayor or magiſtrate by 5 *G.* 3. c. 15.

XIV. And whereas it is requiſite for the more effectual cleanſing of the back ſtreets and lanes in the ſaid cities, that the ſcavengers be enabled to drive their carts through the ſame the better to carry away the dirt thereof: be it enacted by the authority aforeſaid, that where the free paſſage of ſuch carts may be obſtructed by ſome narrow paſs or paſſes in ſaid back ſtreets and lanes, that then and in ſuch caſe it ſhall and may be lawful for the grand juries at the aſſizes in ſuch cities to preſent the ſame as nuiſances to be removed by the ſheriffs, and to provide by preſentment, reaſonable ſatisfaction to the party, whoſe intereſt or property ſhall be affected thereby, for any damage he may ſuſtain by widening ſaid paſſages; ſuch damage to be aſcertained by a jury impannelled to try the ſame.

Narrow paſſes for ſcavenger's carts preſented as nuiſances, removed by ſheriffs, ſatisfaction aſcertained by jury.

XV. Provided nevertheleſs, that no greater ſum ſhall be raiſed by ſuch preſentment at any one aſſizes exceeding the ſum of thirty five pounds, nor in the whole to exceed the ſum of one hundred and forty pounds, for the purpoſes aforeſaid.

Not above 35l. one aſſizes, nor 140l. in the whole.

XVI. And be it enacted by the authority aforeſaid, that the ſaid ſeveral proviſions, hereby and by the ſaid former act made, ſhall continue in force for the ſpace of ſeven years, to be computed from the firſt day of May one thouſand ſeven hundred and ſeventy four, and to the end of the then next ſeſſion of parliament; and that if any ſuit or action ſhall be commenced againſt

Proviſions by this and ſaid act continued 7 years from 1ſt *May* 1774, &c.

A. D. 1773-4.

against any perſon or perſons, for what he or they ſhall do in purſuance thereof, the defendant or defendants in ſuch action may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict ſhall be given for the defendant or defendants, or if the plaintiff ſhall be nonſuit, the defendant or defendants ſhall have and recover his or their treble coſts.

defendants may plead general iſſue, &c. and have treble coſts.

CHAP. XXI.

An act for amending an act paſſed in the third year of his Majeſty's reign, entitled, An act for the better regulation of the linen and hempen manufactures.

Lappers ſubject to rules in 3 G. 3. c. 34.

WHEREAS by an act paſſed in the third year of his Majeſty's reign for the better regulation of the linen and hempen manufactures lappers of white or bleached linen or hempen cloth are to be appointed in manner and under and ſubject to the rules, orders, and directions therein mentioned: and whereas many pieces of linen and hempen cloth, bleached or in part bleached, have lately been ſtolen out of ſeveral bleach greens in this kingdom, and it hath been found very difficult for the owners thereof to prove their property in the ſame: for remedy whereof be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four no perſon ſhall expoſe to ſale any piece or part of a piece of linen or hempen cloth, which has been bleached or in part bleached, unleſs the name of ſome lapper appointed or to be appointed as aforeſaid, and alſo the name of the county wherein ſuch lapper ſhall reſide at the time of marking ſuch piece or part of a piece, ſhall be marked at one end thereof with vermillion or ſtone blue and ſize; and that if any perſon ſhall expoſe to ſale any piece or part of a piece of linen or hempen cloth, not having ſuch names marked thereon in manner aforeſaid, ſuch perſon ſhall for every ſuch offence forfeit the ſum of five pounds, to be recovered and diſpoſed of in the ſame manner as is by the ſaid act directed with regard to all penalties and forfeitures therein mentioned, not exceeding in value the ſum of ſix pounds, and alſo ſuch piece or part of a piece of linen or hempen cloth; and that if any perſon ſhall counterfeit the name of any lapper, appointed or to be appointed as aforeſaid, to any piece or part of

difficult to prove property in bleached cloth ſtolen,

Lapper's name and county marked with vermillion or ſtone blue & ſize at one end of pieces expoſed to ſale,

Penalty 5l. as penalties of 6l. by ſaid act,

and the cloth,

counterfeiting lapper's name,

of a piece of linen or hempen cloth, ſuch perſon being thereof lawfully convicted ſhall be condemned to ſtand in the pillory, or to be tranſported for the term of ſeven years to ſome one of his Majeſty's plantations abroad, at the diſcretion of the judge or judges who ſhall try ſuch offence. A. D. 1773-4. pillory or tranſportation 7 years.

II. And be it enacted by the authority aforeſaid, that no money ſhall be granted or paid by the truſtees of the linen and hempen manufactures for or on account of any mill, bleach green, or other work to be executed by any individual, or as a bounty to enable him to carry on any branch of the manufacture; but that every part of the fund under their direction ſhall be applied in payment of utenſils, of premiums for the raiſing of flax, of the ſeveral officers and ſervants neceſſarily employed by or attending on the ſaid truſtees, or at the linen and yarn halls, and in bounties or premiums on ſuch ſpecies of the manufactures as ſhall be previouſly aſcertained from time to time by the ſaid truſtees, and which ſhall be brought to market or exported. No grant by truſtees for mill, green, or work, or bounty to carry on, the fund applied for utenſils, premiums, officers and ſervants, and bounties on ſuch as aſcertained and brought to market.

III. Provided always, that this ſhall not extend to prevent or reſtrain the ſaid truſtees from making good any * pomiſe or engagement, entered into by them previous to the firſt day of March one thouſand ſeven hundred and ſeventy four. Truſtees may make good engagement before 1ſt *March* 1774.

IV. And be it enacted by the authority aforeſaid, that no perſon ſhall ſell or expoſe to ſale any piece of plain linen cloth, being of or exceeding the ſet of fourteen hundred, made or intended to be of the denomination commonly called ell-wides, that ſhall not be when brown, and before the ſame ſhall be bleached, forty ſeven inches broad at leaſt, upon pain of forfeiting ſuch piece. Linen of or above ſet of 1400, ell-wides, when brown, to be 47 inches broad, or forfeited,

CHAP. XXII.

An act for paving the ſtreets, lanes, quays, bridges, ſquares, courts, and alleys within the city and county of the city of Dublin, and other purpoſes relative to the ſaid city of Dublin, and other places therein particularly mentioned.

WHEREAS the ſeveral ſtreets, quays, alleys, yards, courts, ſquares, bridges, and lanes in the city and county of the city of Dublin, and other places herein after mentioned, are not properly pitched or paved: and whereas the preſent methods preſcribed by law for paving the ſaid ſtreets, alleys, and lanes, and other places are ineffectual, and it would tend greatly to the free *Amended* 15 & 16 *G.* 3. *c.* 20. Commiſſioners for executing this act.

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intercourſe, health, and ſafety of the inhabitants of ſaid ſtreets and lanes, and other places, and of all perſons paſſing through the ſame, if the pavements thereof were properly pitched, paved, and regulated: therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the lord chancellor, the archbiſhop of Dublin, the lord chief juſtice of his Majeſty's court of king's bench and common pleas, the lord chief baron of the exchequer, the ſpeaker of the houſe of commons, the provoſt and vice provoſt of Trinity College, the lord mayor, recorder, ſheriffs, and repreſentatives in parliament of the city of Dublin, the repreſentatives of the county of Dublin, the high ſheriff of the county of Dublin, the lord of the Manor of Thomas Court and Donore, with the ſeneſchal of the ſame, the ſeneſchal of the manor of Saint Sepulchre's, the dean of Chriſt Church, and the dean of Saint Patrick's, all for the time being, and their reſpective ſucceſſors, fifteen aldermen and fifteen common council men of the corporation of the city of Dublin, to be elected as herein after mentioned, together with the Duke of Leinſter, earl of Charlemont, lord viſcount Ranelagh, right honourable John Beresford, right honourable James Forteſcue, James Agar eſquire, Thomas Adderly eſquire, colonel William Burton, honourable Barry Barry, Mr. William Colvil, John Dillon eſquire, John Burke the younger, eſquire, William Dean eſquire, Joſeph Henry eſquire, Mr. Travers Hartley, David Latouche the younger eſquire, John Leigh eſquire, John Monck Maſon eſquire, Redmond Morres eſquire, Andrew Caldwell eſquire Charles O'Hara eſquire, major Vallancey, Ralph Ward eſquire, William Gleadowe eſquire, William Dunn eſquire, Agmondiſham Veſey eſquire, Sir John Parnell baronet, John Foſter eſquire, Robert Helen eſquire, Mr. Benjamin Houghton, Lodge Morres eſquire, Sydenham Singleton eſquire, Robert Thorp eſquire, Mr. Edward Strettel, James Sommerville eſquire, Warden Flood eſquire, and Sir Edward Newenham, and the ſeveral perſons to be ſucceſſively choſen in manner herein after mentioned, ſhall hereafter be commiſſioners for carrying this act into execution.

15 aldermen and common council elected commiſſioners by ballot,

II. And be it enacted by the authority aforeſaid, that within ten days after the paſſing of this act the lord mayor ſhall in the uſual manner convene an aſſembly or common council of the ſaid city for the purpoſe of electing by ballot fifteen aldermen and fifteen common council men as commiſſioners; which commiſſioners,

miſſioners, after they are elected and choſen, ſhall continue to act 'till the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſeven; when the lord mayor and board of aldermen, the ſheriffs, and commons, ſhall elect to be of the ſaid commiſſioners ſo many and ſuch perſons, as they are impowered to elect in the place of the perſons ſo formerly elected, and ſuch perſons ſhall be and are hereby impowered to act as commiſſioners for three years; and ſaid commiſſioners ſhall by ſaid manner of election be continued and renewed from three years to three years during the continuance of this act; and when any vacancy ſhall happen either by death, diſability, or reſignation of any of the ſaid perſons ſo elected, in ſuch caſe the lord mayor, and board of aldermen, and ſheriffs and commons, ſhall, within fourteen days after the vacancy ſhall happen, elect in the manner herein before directed ſome other perſon, ſeven days previous notice of the day of election being given in the Dublin Gazette; and when any other of the commiſſioners herein named, or hereafter to be elected, ſhall die, be diſabled, or reſign, it ſhall and may be lawful for the ſurviving or remaining commiſſioners, not being commiſſioners from office or elected by the corporation, or any ſeven or more of them, at any meeting, ſeven days previous notice being given in the Dublin Gazette, to elect a fit perſon or perſons to ſupply the place or places of him or them ſo dying, being diſabled, or reſigning; and all perſons, who ſhall be ſo elected, are hereby veſted with the ſame powers for putting this act in execution, as the perſons, in whoſe ſtead they ſhall be elected, were veſted with.

to act till 24 June 1777, when lord mayor, board, ſheriffs, and commons ſhall elect commiſſioners for 3 years, renewed from 3 to 3 years, on vacancy election in 14 days

7 days notice in gazette,

on death, diſability, or reſignation ſurvivors, or any 7, at meeting on 7 days notice, may elect,

veſted with like powers

III. And for the better effecting the purpoſes of this act be it enacted by the authority aforeſaid, that the city of Dublin, and the ſeveral places herein after mentioned, ſhall be divided into five diviſions, the firſt diviſion to conſiſt of the pariſhes of ſaint Paul and ſaint Michan; the ſecond of the pariſhes of ſaint Thomas, ſaint Mary's; the third of the pariſhes of ſaint Andrew's, ſaint Ann's, ſaint Mark's, ſaint Peter's; the fourth of the pariſhes of ſaint Bride's, ſaint Werburgh's, ſaint John's, ſaint Nicholas within, and ſaint Michael's; and the fifth of the pariſhes of ſaint Nicholas without, ſaint Audeon's, ſaint Catherine's, and ſaint James's.

5 diviſions.

IV. And be it enacted by the authority aforeſaid, that within ten days after the paſſing of this act, and alſo on the firſt Thurſday in February annually afterwards, the proteſtant pariſhioners of the ſeveral pariſhes above mentioned ſhall meet in the veſtry room or other uſual place for tranſacting the publick buſineſs of the

12 in each diviſion elected 1ſt Thurſday in February annually in veſtry by ballot,

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the pariſh, the uſual notice being firſt given by the miniſter or curate, and ſhall elect by ballot twelve perſons in each diviſion, that is to ſay, in the firſt diviſion the pariſh of ſaint Paul's ſhall elect four, and the pariſh of ſaint Michan's eight; in the ſecond diviſion the pariſh of ſaint Thomas ſhall elect ſix, ſaint Mary's ſix; in the third diviſion the pariſh of ſaint Andrew's ſhall elect three, ſaint Ann's three, ſaint Mark's two, ſaint Peter's four; in the fourth diviſion the pariſh of ſaint Bride's ſhall elect three, ſaint Werburgh's three, ſaint John's two, ſaint Nicholas within two, and ſaint Michael's, two; and in the fifth diviſion the pariſh of ſaint Nicholas without ſhall elect three, ſaint Audeon's four, ſaint Catherine's four, and ſaint James's one; and the ſaid perſons ſo elected in the ſaid diviſions reſpectively, together with three of the aldermen, and three of the common council men elected as commiſſioners, which aldermen and common council men ſhall be appointed at the ſame time, and in the ſame manner as thoſe acting as commiſſioners, and one other commiſſioner to be appointed by the commiſſioners to act for three years, ſhall conſtitute a committee for the better carrying the purpoſes of this act into execution within their reſpective diviſions, and for ſuperintending and inſpecting all the works carrying on by virtue of this act within their reſpective diviſions, and for examining the bills relative thereto, and for certifying to the ſaid commiſſioners ſuch bills and allowances as they ſhall find juſt, or objecting to the payment of ſuch as they ſhall find otherwiſe (the ſalaries allowed to the officers of the commiſſioners, and expences of commiſſion excepted) and the ſaid commiſſioners on receiving ſuch certificates of payment, but not otherwiſe, ſhall order ſaid bills to be paid.

a comittee for executing this act in reſpective diviſions,

to ſuperintend works,

examine bills,

and certify to commiſſioners, or object,

ſalaries, &c. excepted

payment ordered on ſuch certificate.

V. And be it enacted by the authority aforeſaid, that no leſs a number than five of ſaid perſons ſo elected as aforeſaid ſhall be able to tranſact or execute any buſineſs in any committee appointed under this act; and in caſe of the death, diſability, or reſignation of any of the perſons ſo elected the ſaid pariſhioners ſhall in like manner elect another as aforeſaid, who ſhall continue in office for the remainder of the time, that ſuch perſon, in whoſe place he was elected, was to continue; and the miniſter or curate of ſuch pariſh, whenever ſuch death, diſability, or reſignation ſhall happen, ſhall on the next Sunday, immediately after they ſhall have notice of the ſame, give ſuch notice as aforeſaid, and appoint a day in the ſame week for the ſaid election.

5 to act in committe,

on vacancy pariſhioners to elect another for the time,

notice by miniſter next Sunday,

and a day appointed in ſame week.

VI. And

VI. And be it enacted by the authority aforeſaid, that if the pariſhioners of any of the pariſhes directed to meet for the purpoſes of electing proper perſons to act as committee men, or to appoint proper officers for the purpoſes of putting this act in execution, ſhall neglect to chuſe ſuch committee men or officers for fourteen days after the time appointed in this act, in every ſuch caſe the commiſſioners, or any nine or more of them, are hereby impowered to appoint ſuch committee men and officers.

On 14 days neglect to chuſe committee or officers 9 commiſſioners may appoint.

VII. Provided always, and be it enacted by the authority aforeſaid, that no perſon ſhall be capable of acting as a commiſſioner or a committee man in the execution of this act, during the time he ſhall directly or indirectly hold any office by virtue of or enter into any contract relating to the execution of any part of this act, nor during the time that he ſhall be engaged in ſecurity for any perſon holding any office by virtue of, or entering into any contract relating to, the execution of any part of this act.

No commiſſioner or committee man to act, holding office, contracting, or ſecurity.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, that no perſon ſhall be capable of acting as a commiſſioner or committee man in the execution of this act, unleſs he ſhall in the preſence of the ſaid commiſſioners, or any ſeven of them, at ſome meeting hereafter had by them purſuant to this act, take and ſubſcribe the following oath, or being a quaker make affirmation, which the clerk, hereafter to be appointed by the ſaid commiſſioners, is hereby impowered and required to adminiſter, and the ſame is to be by him fairly entered and preſerved in a book kept particularly for that purpoſe.

Oath before 7 at meeting adminiſtered and booked by the clerk.

I A. B. *do ſolemnly ſwear that I have not nor during my being a will I hold any office, or enter into any contract relating to the execution of any part of this act, or be engaged in any ſecurity for any perſon holding any office by virtue of or entering into any contract relating to the execution of any part of this act; and that I have not accepted, nor will I accept, directly or indirectly of any profit, ſalary, or benefit ariſing or to ariſe from, out, or by means of any office or contract relating to the execution of any part of this act.*

IX. And be it further enacted by the authority aforeſaid, that the ſaid commiſſioners, or any ſeven or more of them, ſhall meet together at the houſe of the corporation for promoting and carrying on an inland navigation; and the ſeveral committees, or any five or more of them, ſhall meet at their veſtry rooms, or other

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place appointed for tranſacting the publick buſineſs of ſome pariſh within their reſpective diviſions on the ſixth day of June next between the hours of ten in the forenoon and two in the afternoon, and ſhall proceed to the execution of this act and ſhall then and at every ſubſequent meeting from time to time adjourn themſelves to meet at any place in the ſaid city or county of the ſaid city, as they the ſaid commiſſioners, or any ſeven or more of them, or they the ſaid committee men or any five or more of them, ſhall think proper or convenient for putting this act in execution; and if it ſhall happen, that there ſhall not appear at any meeting, which ſhall be appointed to be had or held by the ſaid commiſſioners or committee men, a ſufficient number of commiſſioners or committee men to act at ſuch meeting, and to adjourn to another day, then and in ſuch caſe the clerk to the ſaid commiſſioners or committee ſhall by publick notice in the Dublin Gazette, to be given at leaſt five days before the next meeting, or in caſe the ſaid clerk ſhould happen to die before ſuch notice is given, or ſhall neglect or refuſe to give ſuch notice as aforeſaid, then any two commiſſioners ſhall and may by the like publick notice appoint the ſaid commiſſioners and committees to meet at the place, where the laſt meeting was appointed to be held, within fourteen days next after the day on which ſuch laſt meeting was appointed to be held; and the ſaid commiſſioners and committee men ſhall at their meeting pay their own expences.

Adjournment to any place in the city or county of city, as 7 commiſſioners or 5 committee men think fit,

if not a a number, the clerk, or on his death or neglect 2 commiſſioners ſhall on 5 days notice in Gazette appoint meeting where laſt in 14 days,

to pay their own expences.

X. And be it further enacted by the authority aforeſaid, that from and after the paſſing of this act any five or more of the commiſſioners, appointed to put this act in execution, ſhall be and they are hereby declared to be veſted with full power and authority to do, execute, perform, and direct all and every the purpoſes, acts, matters, and things by this act veſted in, or directed to be done or performed by, the ſaid commiſſioners, except in ſuch caſes where a greater number of the ſaid commiſſioners are required by this act to be preſent and conſenting.

5 may act, ſave where more required.

XI. And be it further enacted by the authority aforeſaid, that the ſaid commiſſioners, or any nine or more of them, ſhall and may by writing under their hands and ſeals at their ſecond or any ſubſequent meeting, giving fourteen days notice thereof in the Dublin Gazette, appoint one or more clerk or clerks, treaſurer or treaſurers, receiver or receivers, of the monies to be raiſed by virtue and for the purpoſes of this act, and ſo from time to time to appoint others as they ſhall find neceſſary or convenient; and alſo one or more ſurveyor or ſurveyors to view the condition of

9 under ſeals at meeting on 14 days notice in Gazette to appoint clerks, treaſurers, receivers,

and from time to time, and ſurveyors and other officers,

the ſeveral ſtreets, quays, bridges, ſquares, courts, alleys, places, and lanes in the ſaid city of Dublin, liberties thereof, and places herein after mentioned, and to ſee that the ſame are properly pitched, paved, and kept in repair; and alſo ſuch other officer or officers as the ſaid commiſſioners, or any nine or more of them, ſhall think neceſſary; and the ſaid commiſſioners, or any five or more of them, ſhall and may take ſufficient ſecurity for the due execution of the reſpective offices by ſuch perſon and perſons as aforeſaid, as the ſaid commiſſioners, or any five or more of them, ſhall think proper; and the ſaid commiſſioners, or any nine or more of them, may from time to time remove any or either of ſuch officers or other perſons, and appoint others in the room of ſuch of them, as ſhall be removed or ſhall die; and the ſaid commiſſioners, or any nine or more of them, ſhall and may out of the money raiſed and levied by virtue of this act make ſuch reaſonable allowances to the treaſurer or treaſurers, receiver or receivers, ſurveyor or ſurveyors, clerk or clerks, or other officer or officers, ſo to be appointed as aforeſaid, for and in conſideration of his and their reſpective office and offices, and ſuch other perſon and perſons as ſhall be aiding and aſſiſting in and about the execution of this act, and aſcertain ſuch proportion of the expence attending the ſame as they ſhall think proper, upon ſuch diviſion of the city as to them the ſaid commiſſioners, or any nine or more of them, ſhall ſeem reaſonable; and the committees in their reſpective diviſions may appoint a clerk, and alſo a ſupervifor, and take ſuch ſecurity for the due execution of their reſpective offices, as the ſaid reſpective committees ſhall think proper, and may remove all clerks and ſupervifors, and appoint others in the room of them, as ſhall be ſo removed or ſhall die, and appoint ſuch ſalaries and allowances to them in conſideration of their trouble in executing their offices reſpectively, as the ſaid reſpective committees ſhall think reaſonable.

5 to take ſecurity,

9 to remove, and appoint others,

and make allowances to officers and aſſiſtants

and aſcertain proportion of expence,

committees in diviſions may appoint clerk and ſupervifor, and take ſecurity,

remove and appoint, with ſalaries.

XII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons, who ſhall be employed as a clerk or clerks, treaſurer or treaſurers, receiver or receivers, ſurveyor or ſurveyors, or any other officer or ſervant, officers or ſervants, who ſhall be any ways employed by the ſaid commiſſioners or committee men in putting this act or any the powers thereof in execution, ſhall exact, take, or accept any fee or reward whatſoever, other than ſuch ſalaries and rewards as ſhall be appointed, allowed, and approved of by the ſaid commiſſioners, or any nine or more of them, or other than the ſalaries allowed to the clerks and ſupervifors by the reſpective committees, and approved of by the

Officer taking any reward, ſave as allowed and approved,

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the ſaid commiſſioners, or any nine or more of them, for or on account of any thing done or to be done by virtue of this act, or on any account whatſoever relative to the putting this act in execution, or ſhall any ways be concerned in intereſt in any bargain made or to be made by the ſaid commiſſioners or committees or any of them for the purpoſes of putting this act in execution, every ſuch perſon ſo offending ſhall be incapable of ever ſerving or being employed under this act, and ſhall over and above forfeit the ſum of one hundred pounds to any perſon or perſons, who ſhall ſue for the ſame by action of debt, bill, plaint, or information in any of his Majeſty's courts of record within ſix calendar months after the offence committed; in which ſuit no eſſoign, protection, or wager of law, nor more than one imparlance ſhall be allowed; and ſuch perſon or perſons, as is or are hereby made liable to pay the ſeveral rates or ſums of money hereby granted, ſhall pay the ſame to ſuch perſon or perſons, as ſhall from time to time be ſo appointed to collect and receive the ſame for each reſpective pariſh and place according to the true meaning of this act; and ſuch receiver ſhall give his receipt for ſuch ſum to the perſon, who ſhall pay the ſame; and all ſuch officers and perſons, ſo to be appointed as aforeſaid, ſhall under their hands at ſuch time and times and in ſuch manner as the ſaid commiſſioners, or any five or more of them, ſhall direct, deliver to ſuch commiſſioners, or ſuch perſon or perſons as they or any five or more of them ſhall appoint, true and perfect accounts in writing of all matters and things committed to their charge by virtue of this act, and alſo of all the monies which ſhall have been received by ſuch officer or officers, and perſon or perſons, reſpectively by virtue and for the purpoſes of this act; and how much thereof hath been paid and diſburſed by order of the ſaid commiſſioners, or by the ſaid committees of the reſpective diviſions, or any five or more of them, and for what purpoſes, together with the proper vouchers for ſuch payments; copies of which accounts ſhall be delivered to the ſeveral committees of the reſpective diviſions; and ſhall pay all ſuch monies, as ſhall remain in their reſpective hands, to ſuch perſon or perſons as the ſaid commiſſioners, or any ſeven or more of them, ſhall appoint; and all the ſaid officers and perſons ſo accounting as aforeſaid ſhall verify their ſaid accounts upon oath; which oath the ſaid commiſſioners, or any two or more of them, are hereby impowered and required to adminiſter; and if any ſuch officer or perſon ſhall not make or render, or ſhall refuſe to verify upon oath, any ſuch accounts, or to produce or deliver up the vouchers

or any way intereſted in bargain by commiſſioners or committees, incapable, and forfeit 100l. to proſecutor in 6 months,

rates paid to receivers appointed for each pariſh,

accounts delivered in writing as by 5 appointed of all matters,

of money received,

diſburſements by order, and for what,

with vouchers,

copies of accounts to the committees,

pay balance as by 7 appointed,

accounts verified on oath,

officers, &c. neglecting any of ſaid matters to forfeit 50l.

vouchers relating to the ſame, or to make payment as aforeſaid, or ſhall not deliver to the ſaid commiſſioners, or any five or more of them, or to ſuch other perſon or perſons as they ſhall appoint, within ten days after being thereunto required by any five or more of the ſaid commiſſioners, all the books, papers, and writings in his cuſtody or power, relating to the execution of this act, or ſhall refuſe or neglect to pay ſuch monies, as upon the balance of any account or accounts ſhall appear to be in his hands, to the ſaid commiſſioners, or any ſeven or more of them, or as they ſhall direct or appoint, ſuch officer or perſon ſhall for every ſuch neglect or refuſal reſpectively forfeit the ſum of fifty pounds; and in either of the caſes aforeſaid ſuch commiſſioners, or any ſeven or more of them, may and are hereby impowered and authorized to bring or cauſe to be brought any action or actions in the name of ſuch commiſſioners, or in the name or names of any two or more of them, or of their treaſurer, againſt the officer or officers, perſon or perſons, ſo neglecting or refuſing as aforeſaid, in order for the recovery as well of the ſaid forfeiture as of the monies that ſhall be in the hands of ſuch officer or officers, perſon or perſons, reſpectively.

on action in commiſſioners names, or of any 2, or their treaſurer.

XIII. And be it further enacted by the authority aforeſaid, that in every caſe, wherein a power is given to the ſaid commiſſioners, or any of them, to bring an action or actions for the recovery of any ſum or ſums of money againſt any perſon or perſons, it ſhall and may be lawful for the ſaid commiſſioners, or any of them, who ſhall be ſo impowered to bring ſuch action or actions, to bring the ſame by way of civil bill, in caſe ſuch ſum or ſums of money ſhall not exceed twenty pounds, in ſuch court or courts as have or ſhall have authority to hear and determine civil bills in the county of Dublin, or in the city and county of the city of Dublin, within their reſpective juriſdictions, with like remedy of appeal to the parties reſpectively, as in other caſes is provided: and if complaints ſhall be made by the ſaid commiſſioners, or by any five or more of them, or by ſuch perſon or perſons as they ſhall appoint for that purpoſe, of any ſuch refuſal or neglect as aforeſaid to any two or more of the juſtices of the peace for the county or place, wherein ſuch officer or officers, perſon or perſons, ſo neglecting or refuſing ſhall be and reſide, ſuch juſtices are hereby required to ſummon the ſaid perſons to appear before them, and in caſe of refuſal or non appearance, they may and are hereby authorized and required by warrant or warrants under their hands and ſeals to cauſe the officer or officers, perſon or perſons, ſo refuſing or neglecting to be brought before

Commiſſioners may ſue by civil bill if not above 20l.

appeal as uſual,

2 juſtices on complaint may ſummon,

iſſue warrant on non appearance,

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before them; and upon his and their appearing, or wilfully abſconding, to hear and determine the matter in a ſummary way; and if upon the confeſſion of the party or parties, or by the teſtimony of any credible witneſs or witneſſes upon oath, which oath ſuch juſtices are hereby empowered and required to adminiſter, it ſhall appear to ſuch juſtices, that any of the monies, that ſhall have been collected or raiſed by virtue of this act, ſhall be in the hands of ſuch officer or officers, perſon or perſons, ſuch juſtices may, and are hereby authorized and required, upon non-payment thereof within ten days after conviction by a warrant or warrants under their hands and ſeals to cauſe ſuch money to be levied by diſtreſs and ſale of the goods or chattles of ſuch officer or officers, perſon or perſons, reſpectively; and if no goods or chattles of ſuch officer or officers, perſon or perſons, can be found ſufficient to anſwer and ſatisfy the ſaid money, and the charges of diſtraining and ſelling the ſame, then, and either of the caſes aforeſaid, ſuch juſtices ſhall commit every ſuch offender to the houſe of correction, until he ſhall give and make a true and perfect account and payment as aforeſaid, or until he ſhall compound with the ſaid commiſſioners, or any ſeven or more of them, and ſhall have paid ſuch compoſition in ſuch manner, as they ſhall appoint; which compoſition the ſaid commiſſioners, or any ſeven or more of them, are hereby impowered to make, or until he ſhall deliver up ſuch books, papers, and writings as aforeſaid, and give ſatisfaction in reſpect thereof to the ſaid commiſſioners, or any ſeven or more of them.

determine ſummarily if money in officers hands not paid in 10 days after conviction levied by diſtreſs and ſale,

if not ſufficient committed till payment or compoſition with 7,

or delivery of books, &c.

XIV. And be it further enacted by the authority aforeſaid, that ſo ſoon as conveniently may be (during the continuance of this act) after the perſon or perſons, or either of them, acting as treaſurer or treaſurers to the ſaid commiſſioners, ſhall at any time have received the ſum of one hundred pounds, monies appointed to be received by him or them by virtue of and for the purpoſes of this act, he and they ſhall from time to time pay the ſame into ſuch bank, as to the ſaid commiſſioners, or any ſeven or more of them, ſhall ſeem fit, in the name of and on account of the ſaid commiſſioners, and to be diſpoſed of by order of the ſaid comiſſioners, or any ſeven or more of them, for the purpoſes of this act.

Treaſurers receiving 100l. to pay into a bank to order of 7,

XV. And for the better paving, repairing, and keeping in repair the ſaid ſtreets, lanes, quays, bridges, ſquares, courts, and alleys within the city and county of the city of Dublin, and places herein after mentioned, and keeping the ſame free from obſtructions and annoyances, be it enacted by the authority

7 at board may order ſtreets, &c. to be paved, raiſed, or altered,

aforeſaid, that from and after the paſſing this act the ſaid commiſſioners, or any ſeven or more of them, regularly aſſembled and forming a board in purſuance of this act, ſhall have full power and authority from time to time to order and direct any of the publick ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, now in being, or hereafter to be made within the ſaid city and county of the city of Dublin, and places herein after mentioned, or any part or parts of ſuch ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, as well thoſe uſed by foot paſſengers, as thoſe uſed by carriages, to be pitched, paved, repaired, raiſed, or altered; and ſhall alſo have full power and authority to cauſe to be dug, carted, and carried out of or brought into the ſaid ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, or into any of them, ſuch gravel, ſtones, and other materials, as they ſhall judge neceſſary; and may likewiſe cauſe the ground thereof to be raiſed or lowered; and all poſts, rails, ſigns, ſteps, bulks, ſtalls, holes, pits, ſhew-glaſſes, ſhew-boards, jet-out-windows, walls incloſing dunghills, as alſo all ſteps and doors opening or leading from the foot-ways or carriage-ways into vaults, cellars, or other places, to be removed, filled up, or altered; and to employ ſuch artificers, workmen, labourers, carters, and others, and to iſſue ſuch money on thoſe accounts, and to do all and every ſuch other acts and things as the ſaid commiſſioners, or any ſeven or more of them, ſo aſſembled and forming a board, ſhall judge neceſſary.

dig and cart materials,

raiſe or lower ground, remove poſts, ſigns, rails, &c. fill up or alter openings to cellars, &c. employ labourers, &c. iſſue money, and other neceſſary acts.

XVI. And whereas Plunket ſtreet in the pariſh of St. Nicholas without the walls of the ſaid city has been upwards of ſeventy years the only market or place for the ſale of cloaths for the lower claſs of people, and that all the houſes and ſhops in the ſaid ſtreet have pent-houſes, ſhop-windows, and frames, which jet out into the ſaid ſtreet for the better expoſing to ſale the ſaid cloaths: therefore be it enacted by the authority aforeſaid, that no powers, granted by this bill to the commiſſioners or committees, ſhall extend to the removing pent-houſes, ſhop-windows, or frames, which jet out in the ſaid ſtreet, as it will greatly injure the ſaid market, and ruin the trade thereof, to the great prejudice and loſs of a great number of induſtrious people.

Plunket ſtreet pent-houſes, &c. not removed.

XVII. And be it further enacted by the authority aforeſaid, that the ſaid ſeveral committees, or any five or more of the perſons conſtituting the ſaid reſpective committees, may and are hereby empowered from time to time at any of their ſaid meetings, as occaſion ſhall require, to contract with any perſon or perſons for paving all or any of the ſaid ſquares, ſtreets, bridges, quays,

5 committee men at meeting may contract for paving,

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quays, courts, alleys, places, and lanes, which contract or contracts ſhall ſpecify the ſeveral works to be done and the prices to be paid for the ſame, and the time or times when the ſaid works ſhall be compleated, and the penalties to be ſuffered in caſe of non-performance thereof, and ſhall be ſigned by the ſaid committees, or any five or more of them, at ſuch their meetings aſſembled and forming a board as aforeſaid, and by ſuch perſon or perſons contracting to perform ſuch works; but previous to the making of any ſuch contract fourteen days notice ſhall be given in the Dublin Gazette expreſſing their intentions to make ſuch contracts, in order that any perſon or perſons willing to undertake the ſame may make propoſals for that purpoſe to be offered and preſented to the ſaid committees at a certain time and place in every ſuch notice to be mentioned; which contract muſt be approved of and ſigned by the commiſſioners, or any ſeven or more of them, otherwiſe to be null and void; and that no contracts ſhall be made after the preſent year but between the firſt of February and the firſt of June.

ſpecifying the works, prices, time, and penalties, ſigned at board by them and contractors,

14 days notice in Gazette to receive propoſals,

contracts approved and ſigned by 7 commiſſioners or void,

between 1ſt February and June.

XVIII. Provided always, and be it further enacted by the authority aforeſaid, that nothing in this act contained ſhall be deemed or taken to make void any contract, covenant, or agreement between landlord and tenant touching or concerning the paving any or any part of the ſaid ſquares, bridges, quays, ſtreets, courts, alleys, places, or lanes, or any of them; but whatever perſon, who is now by virtue of any ſuch contract or agreement obliged to pave or keep in repair any part of the ſaid ſquares, courts, alleys, places, or lanes, or either of them, ſhall in lieu thereof be obliged to pay the rates hereby directed to be made and aſſeſſed, or ſo much thereof as ſhall by the ſaid commiſſioners, or any ſeven or more of them, at ſuch their meetings be deemed juſt and reaſonable according to the true meaning of ſuch contract, covenant, or agreement, for and during ſuch time as ſuch contract, covenant, and agreement ſhall remain in force; and in caſe any diſpute ſhall ariſe concerning ſuch agreement, the ſaid commiſſioners, or any ſeven or more of them, at ſuch their meeting ſhall have power to hear and finally determine the ſame.

Not to avoid agreements between landlord and tenant as to paving,

rates aſſeſſed paid in lieu, or as by 7 deemed juſt during ſuch agreement.

XIX. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the receiver or receivers of the rates or aſſeſſments, appointed or to be appointed by the ſaid commiſſioners, or any ſuch receiver or receivers, or for any perſon or perſons authorized by the ſaid commiſſioners, or any ſeven or more of them, at all convenient times, firſt having an order under the hands of the ſaid commiſſioners or any ſeven or more of them for that purpoſe, to inſpect the books or

Receivers to aſcertain aſſeſſments may on order by 7 inſpect watch or poor houſe rates, take copies and extracts,

rates

rates made for the watch-money, or for the poor houſe money in the city of Dublin, in order to aſcertain the rates and aſſeſſments to be raiſed by virtue of this act, and alſo to take copies thereof, and alſo to make extracts therefrom, and likewiſe to inſpect and take copies or extracts of or from any book or books kept for that purpoſe; which inſpection, copies, and extracts, the church-warden or church-wardens, or other officer or officers, of the reſpective pariſhes and places, or other officer or officers, perſon or perſons, having the cuſtody of ſuch books and rates, are hereby required to permit, and ſuffer to be made, without fee or reward by ſuch receiver or receivers, or other perſon or perſons appointed as aforeſaid, on their producing an order under the hands of the ſaid commiſſioners, or any three or more of them, for that purpoſe; and in caſe any ſuch church-warden or church-wardens, or other officer or officers, or perſon or perſons, ſhall neglect or refuſe ſo to do, within three days after ſuch order ſhall be produced and ſhewn to him or them, or a copy thereof left at his or their laſt or moſt uſual place of above, then and in every ſuch caſe he or they ſo refuſing or neglecting ſhall for the firſt offence forfeit the ſum of twenty ſhillings, for the ſecond offence the ſum of forty ſhillings, and for the third and every other offence the ſum of three pounds.

permitted without fee on producing order,

on refuſal 3 days 1ſt 20s. 2d 40s. 3l. after.

XX. And be it further enacted by the authority aforeſaid, that the property of the ſaid pavements, iron, timber, furniture, and of all other materials and things, which ſhall be made uſe of for the purpoſes of this act in the ſeveral diviſions of the ſaid city, and other places herein after mentioned, ſhall be and the ſame are hereby veſted in the reſpective committees for the time being, and they are hereby ſeverally authorized and impowered to bring, or cauſe to be brought, any action or actions in the name of the clerk of the reſpective committees for the time being, or to prefer, and order, and direct the preferring of indictments againſt any perſon or perſons, who ſhall ſteal, take, carry away, or embezzle any or any part of ſuch materials or things; and if any perſon or perſons ſhall wilfully or maliciouſly break up, deſtroy, or otherwiſe damage or ſpoil any of the ſaid materials or things, or any of the works made in purſuance of this act, or any part or parts thereof, every perſon ſo offending therein, and being thereof convicted by the oath of one or more witneſs or witneſſes before any one or more juſtice or juſtices of the peace for the county, where the ſaid offender ſhall be apprehended, ſhall for the firſt offence forfeit any ſum not exceeding forty ſhillings nor leſs than ten ſhillings, and for the ſecond and every other

Property of materials veſted in the committees,

to ſue in clerk's name or indict ſuch as ſteal or embezzle,

damaging materials or works, on 1 witneſs before a juſtice,

firſt offence not above 40s. nor under 10s.

other offence any ſum not exceeding three pounds nor leſs than twenty ſhillings, to be levied by diſtreſs and ſale of the goods and chattles of every ſuch offender by warrant under the hand and ſeal or hands and ſeals of the juſtice or juſtices, before whom ſuch conviction ſhall be made; which forfeiture ſhall be applied for the purpoſes of this act: and in caſe the perſon or perſons ſo offending and convicted ſhall have no goods or chattles, whereupon the ſame can be levied, then and in every ſuch caſe reſpectively it ſhall and may be lawful to and for one or more of ſuch juſtice or juſtices of the peace as aforeſaid by warrant under his or their hand and ſeal or his or their hands and ſeals to commit ſuch perſon or perſons reſpectively to the houſe of correction, there to remain for any ſpace not exceeding two calendar months, nor leſs than ten days, to be reckoned from the day of commitment; and the perſon or perſons, ſo incurring and being convicted of any of the ſaid pecuniary penalties, ſhall not be diſcharged, until he, ſhe, or they ſhall have paid the ſum forfeited as aforeſaid, or until the expiration of the ſaid reſpective times.

every other not above 3l. nor under 20s. by diſtreſs and ſale, for purpoſes of the act,

if none, committed not above 2 months nor under 10 days.

XXI. And be it further enacted by the authority aforeſaid, that the ſaid committees reſpectively, or any five or more of the perſons conſtituting the ſaid committees reſpectively, ſhall have full power and authority to ſell and diſpoſe of all or any part of any old materials to ſuch perſon or perſons, as ſhall be willing to buy and purchaſe the ſame, and to apply the purchaſe money to the purpoſes of this act.

Committees or 5 perſons may ſell old materials, for this act.

XXII. And whereas the perſons, who furniſh water to the inhabitants of the city of Dublin, are by law now authorized or permitted to take up the pavements by their own paviors, who may be guilty of neglects in repairing the ſame: therefore be it further enacted by the authority aforeſaid, that from and after the paſſing this act, when and ſo often as it ſhall be neceſſary to take up any part of the pavements of the ſaid ſquares, ſtreets, bridges, quays, alleys, courts, places, or lanes, which ſhall be compleated by virtue of this act for the purpoſe of amending the pipes, or in caſes of accidental fire, by any other perſons, the ſame ſhall with all convenient ſpeed be repaired at the expence of the ſaid perſons ſo furniſhing water for the ſaid city by the pavior or paviors contracting with or employed by them; but if for the purpoſes of this act it ſhall at any time be found neceſſary to raiſe, ſink, or any otherways to alter the poſition of any of the pipes or plugs, laid down or placed by any of the ſaid perſons for the purpoſes of ſupplying the ſaid city with water as aforeſaid, the ſame ſhall be paid for out of the monies ariſing by virtue of this

Others taking up pavement to amend pipes, or on fires, repaired by pipe-water paviors, at their expence;

but if pipes altered for purpoſes of this act, out of the money ariſing.

this act; and alſo at all times with as little detriment or inconvenience to the ſaid perſons as the circumſtances of the caſe will admit of.

Agreement between the city and canal co. confirmed,

XXIII. And whereas an agreement hath been entered into between the corporation of the city of Dublin and the company of undertakers of the grand canal in the words following, (to wit) "Reſolved, That it be agreed between the ſubſcribers to the grand canal and the city of Dublin, that in conſideration of the ſubſcribers ſupplying the city with ſuch a quantity of water, hereafter to be aſcertained, as ſhall amply ſupply the ſeveral inhabitants thereof, the city ſhall pay to the ſaid ſubſcribers ten *per cent.* upon the groſs produce of the revenue, that ſhall ariſe to the city from the ſale of the ſaid water; the payment of the ſaid ten *per cent* not to commence 'till the firſt day of May one thouſand ſeven hundred and ſeventy ſix; and the ſubſcribers alſo engaging that they ſhall not erect any works upon the navigation, which ſhall cauſe any impurity in the water, ſo as to render it unfit for uſe." "Reſolved, That it be alſo agreed, that the ſubſcribers on their part, and the city on theirs, ſhall uſe their beſt endeavours to obtain an act of parliament for ratifying the above agreement as ſoon as poſſible;" therefore be it enacted by the authority aforeſaid, that the ſaid agreement, and every part thereof, ſhall ſtand ratified and confirmed.

to pay ſubſcribers 10*l.* *per cent.* on groſs produce from water ſupplied.

4 times a year, or oftener if required, receivers accounts ſtated,

XXIV. And be it enacted by the authority aforeſaid, that four times at leaſt in every year, or oftner if required, an account from the books to be kept by the receiver or receivers of the ſaid rates, duties, and ſum and ſums of money as aforeſaid, ſhall be fairly ſtated, and ſigned by the ſaid receiver or receivers, and delivered by him or them to the ſaid commiſſioners and ſeveral committees; which commiſſioners, or any ſeven or more of them, are hereby impowered to diſcharge ſuch receiver or receivers of all ſuch monies, as he or they ſhall have fairly and truly accounted for.

7 may diſcharge.

No alteration or incroachment in the pavement,

XXV. And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall make or cauſe to be made any alteration in the form of any of the pavements of the ſaid ſquares, bridges, quays, courts, alleys, ſtreets, lanes, or places, which ſhall be compleated by virtue of this act, or of any part thereof, or any encroachments therein; or put up any poſt, rails, ſigns, ſtep or ſteps, or erect any bulks or ſtalls, or place any ſhew glaſſes, ſhew boards, or jet-out windows, or make any hole or pits, without the conſent and direction of the ſaid commiſſioners, or any ſeven or more of them, under their hands

no poſts, rails, &c. placed, or holes made, without conſent of 7 under ſeal,

and

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and ſeals, upon pain of forfeiting for every ſuch offence the ſum of five pounds, over and above all expences incurred or to be incurred in reinſtating the ſame, to be levied by diſtreſs and ſale of the goods and chattles of every ſuch offender by warrant under the hands and ſeals of any two or more juſtices of the peace for the county, where ſuch offender ſhall be apprehended, together with the charges of ſuch diſtreſs and ſale, rendering the overplus, if any be, to the owner of ſuch goods and chattles, when demanded.

penalty 5l. above expences.

by diſtreſs and ſeal,

by 2 juſtices where apprehended.

XXVI. And be it further enacted by the authority aforeſaid, that every occupier of any houſe or tenement within the ſaid city, and in reſpect of houſes let to inmates every houſe owner ſhall once in every day from the firſt day of May to the firſt day of October before the hour of eight, and from the firſt day of October to the thirtieth of April before the hour of ten of the clock in the forenoon of each day, ſcrape, ſweep, and cleanſe, or cauſe to be ſwept, ſcraped, and cleanſed the foot way all along the front of their reſpective houſes or tenements; or in default thereof ſhall for every ſuch offence forfeit and pay the ſum of one ſhilling; the ſame to be levied and applied in ſuch manner, as any of the penalties and forfeitures hereby inflicted are directed to be levied and applied.

Occupier, or, if let to inmates, houſe-owner, ſhall cleanſe foot-way daily from 1 May to October before 8, from October to 30th April before 10.

penalty 1s.

further inforced 15 & 16 *G.* 3. *c.* 20. *ſ.* 15.

XXVII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid commiſſioners, or any five or more of them, at any time when they ſhall think fit, to raiſe, ſink, or otherwiſe alter the poſition of any of the leaden or other pipes, which for the purpoſe of conveying water into any houſe, area, or other place, ſhall be laid into or from any pipe laid down, or placed by any perſon or perſons, who furniſhed the inhabitants of the city with water; the expence whereof ſhall from time to time be paid out of the money ariſing by virtue or appropriated to the purpoſes of this act, and ſhall always be done with as little detriment and inconvenience to the ſaid perſons or inhabitants, as the circumſtances of the caſe ſhall admit.

5 Commiſſioners may alter poſition of water pipes to houſes,

out of money by this act,

with as little detriment as may be admitted.

XXVIII. Provided always, that ſo often as any part of the ſaid pavements of the ſaid ſquares, ſtreets, or lanes, or other places, which ſhall be begun to be paved by virtue of this act, ſhall be taken up by any perſon or perſons for the purpoſe of placing, altering, or amending any pipe or pipes, the ſame ſhall with all convenient ſpeed be repaired by the pavior or paviors contracting with or employed by the ſaid commiſſioners, at the expence

Pavement taken up for pipes, ſpeedily repaired by contracting paviors at propietor's expence.

expence of the proprietor or proprietors of the ſaid leaden or other pipes reſpectively.

Notice to ſurveyors of intent to take up pavement.

XXIX. And be it further enacted by the authority aforeſaid, that when and ſo often as any part of the pavements of any of the ſquares, ſtreets, lanes, courts, alleys, paſſages, or places, which ſhall be begun to be paved by virtue of this act, ſhall be intended to be taken up by any perſon or perſons for the purpoſe of making, repairing, or altering any vault or drain, or for any other purpoſe whatſoever, the perſon or perſons ſo intending to take up ſuch pavement or pavements ſhall previouſly to the breaking up or opening the ſame give notice thereof to the ſurveyor or ſurveyors employed by the commiſſioners for putting this act in execution, in order that the ſame may with all convenient ſpeed be laid down and repaired under the inſpection of the ſaid ſurveyor or ſurveyors; and the charges and expences thereof ſhall be previouſly computed by the ſaid ſurveyor or ſurveyors; and in caſe ſuch perſon or perſons, thereby directed to give ſuch notice to the ſurveyor or ſurveyors as is before directed, ſhall neglect ſo to do twenty four hours at leaſt, before ſuch pavement or pavements be ſo taken up, ſuch perſon or perſons ſhall for every ſuch offence forfeit and pay the ſum of five pounds; and it ſhall afterwards be lawful for the lord mayor, or other juſtice of the peace of the ſaid city, to iſſue his warrant under his hand and ſeal to diſtrain the goods and chattles of the perſon or perſons offending herein, and the ſaid goods and chattles ſhall be ſold, as is uſual in caſes of diſtreſs in order in the firſt place to reimburſe the ſaid commiſſioners all expences incurred in repairing and laying down the pavement or pavements ſo broken up as aforeſaid, and afterwards the overplus to be returned to the owner.

who ſhall previouſly compute the charge, neglecting, notice 24 hours before, penalty 5l.

Obſtructing this act, 1ſt 20s. 2d 40s. 3l. afterward,

XXX. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall at any time or times hereafter obſtruct, hinder, or moleſt any ſurveyor or ſurveyors, or other officer or officers, perſon or perſons whatſoever, who are or ſhall be employed to put this act in execution, in the performance or execution of their duty, every ſuch perſon and perſons ſo offending ſhall for the firſt offence forfeit the ſum of twenty ſhillings, for the ſecond offence the ſum of forty ſhillings, for the third and every other offence the ſum of three pounds; and in caſe of nonpayment be ſent to the houſe of correction for one month.

or committed 1 month.

Where pariſhes or bodies corporate ought to pave or repair,

XXXI. And be it further enacted by the authority aforeſaid, that where any part or parts of the pavements of the ſaid ſquares,

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squares, ſtreets, and lanes, or other places have been accuſtomed or ought to be paved and repaired by any particular pariſh or pariſhes, bodies politick or corporate, and not by the owners or occupiers of the houſes or other buildings adjoining to the pavements of the ſaid ſquares, ſtreets, or lanes, the ſame ſhall be paved and repaired at the expence of the reſpective pariſh or pariſhes, bodies politick or corporate, by the pavior or paviors contracting with or employed by the ſaid commiſſioners.

done at their expence, and not by houſe owners.

XXXII. Provided always, that it ſhall and may be lawful for the ſaid commiſſioners, or any ſeven or more of them, from time to time to compound and agree for the ſame by the year with any ſuch pariſh or pariſhes, or bodies politick or corporate, for a certain ſum of money by the foot or other meaſure, as the ſaid commiſſioners or any ſeven or more of them ſhall think reaſonable.

7 may compound by the year with ſuch pariſh or body.

XXXIII. And be it further enacted by the authority aforeſaid, that all ſigns, ſign irons, poſts, boards, ſpouts, gutters, or any incroachment or other annoyance whatſoever, already built, placed, or hung in any of the ſquares, ſtreets, or lanes, ſhall be at the expence of the ſaid commiſſioners fixed or placed on the fronts of ſuch houſes reſpectively, whereto the ſame ſhall belong, or may from time to time be removed and placed in ſuch manner, as the ſaid commiſſioners, or any three or more of them, ſhall think moſt proper and convenient in order to prevent the ſame occaſioning any obſtruction or annoyance; and for the future all irons, boards, ſpouts, or gutters ſhall be placed or fixed on the fronts of the houſes, ſhops, warehouſes, or buildings, whereunto they reſpectively belong, and not otherwiſe: and if any perſon or perſons ſhall at any time hereafter hang, place, erect, or build any ſign, ſign poſt, or iron, board, ſpout, gutter, or any other annoyance, or cauſe the ſame to be done in any other manner than as aforeſaid, every ſuch perſon ſhall for every ſuch offence forfeit and pay the ſum of five pounds, to be levied and recovered in ſuch manner as penalties are by this act directed to be levied and recovered.

Signs, &c. altered,

irons, boards, ſpouts, or gutters fixed on front,

placing them, or ſigns, or other annoyance, in other manner, 5l.

XXXIV. Provided always, and be it further enacted by the authority aforeſaid, that if any or any part of any ſuch ſign iron, or poſt, board, gutter, or ſpout, ſhall remain unuſed after the alteration made thereto as before directed, the ſame ſhall be returned to and be the property of the perſon, to whom the ſame belonged before ſuch removal or alteration.

XXXV. And be it further enacted by the authority aforeſaid, that the ſaid reſpective committees, or any five or more of them,

5 of committee may occaſionally

them, ſhall have full power and authority from time to time to cauſe all or any part of ſuch ſquares, ſtreets, and lanes to be well watered, as often as there ſhall be occaſion, in ſuch manner as the ſaid committees, or any five or more of the perſons conſtituting the ſaid committees reſpectively, ſhall direct, and defray the expences ariſing thereby out of the money to be raiſed by virtue of or appropriated for the purpoſes of this act.

water ſtreets, &c. out of money raiſed.

XXXVI. And be it further enacted by the authority aforeſaid, that the ſaid reſpective committees, or any five or more of them, may order and direct the ſeveral inhabitants of the ſeveral houſes in the ſaid ſquares, ſtreets, lanes, and other places in this act mentioned, to number their reſpective houſes in ſuch manner as the ſaid reſpective committees, or any five or more of them, ſhall think proper, and may alſo order and direct to be engraved, painted, or otherwiſe deſcribed on ſtone or wood, to be fixed on a conſpicuous part of ſome houſe or other building at each end or corner of each ſquare, ſtreet, or lane, the name by which ſaid ſquare, ſtreet, or lane is uſually or properly called or known; and if any perſon or perſons ſhall wilfully or maliciouſly deſtroy, pull down, injure, obliterate, or deface any ſuch name or deſcription, or any part thereof, or cauſe or procure the ſame to be done, or ſhall neglect to number his houſe in manner as directed by the commiſſioners or any five of them, and ſhall be convicted thereof by his or her own confeſſion, or by the oath of one or more credible witneſs or witneſſes, before one or more juſtice or juſtices of the peace for the county, where ſuch offender ſhall be apprehended, which oath the ſaid juſtice or juſtices is and are hereby impowered to adminiſter, every ſuch perſon ſo offending ſhall for every ſuch offence forfeit and pay the ſum of fifty ſhillings, to be levied, and recovered, and applied, as the penalties and forfeitures are by this act directed to be levied, recovered, and applied.

And order inhabitants to number houſes,

may affix name of the ſtreet, &c. at each end,

defacing the ſame, or not numbering houſes, 50s.

XXXVII. And for defraying the charges and expences of paving and repairing the ſaid ſquares, ſtreets, lanes, bridges, quays, and other places, now being or hereafter to be made within the ſaid city and county of the city of Dublin and places herein after mentioned, be it further enacted by the authority aforeſaid, that from and after paſſing of this act one or more rate or rates, aſſeſſment or aſſeſſments, ſhall twice in every year, or oftener if it ſhall be thought needful by the ſaid commiſſioners, or any nine or more of them, be made, laid, and aſſeſſed by the ſaid commiſſioners, or any nine or more of them, of and upon all

Aſſeſſments twice a year or oftener by 9 commiſſioners on lands, houſes, &c.

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all and every the lands, houſes, ſhops, warehouſes, cellars, vaults, or tenements within the ſaid city, liberties, and other places herein after mentioned, in ſuch ſum and ſums of money as the ſaid commiſſioners, or any nine or more of them, ſhall yearly and every year order and direct; ſo as ſuch rates or aſſeſſments do not exceed in the whole the ſum of one ſhilling in the pound in any one year of the yearly rent of ſuch lands, houſes, ſhops, warehouſes, cellars, vaults, or other tenements, as the ſame ſhall have been aſcertained and rated towards the maintenance of the watch in ſuch pariſh and place reſpectively for each preceding year; which rate or rates, aſſeſſment or aſſeſſments, ſhall be paid annually by ſuch perſon and perſons, and in ſuch proportion, manner, and form, as the rates towards the ſupport of the watch are now paid.

not exceeding in 1 year 1s. *per £.* of yearly rent as rated for watch,

paid annually as watch rate.

XXXVIII. And whereas many houſes within the ſaid city, county of the ſaid city, and other places herein after mentioned, are by the ſeveral owners or proprietors thereof let out in lodgings or tenements to divers tenants, whereby it will be difficult to rate and aſſeſs ſuch houſes, or to recover ſuch rates and aſſeſſments when made: for remedy whereof be it enacted by the authority aforeſaid, that from and after the paſſing of this act it ſhall and may be lawful to and for the ſaid commiſſioners, or any nine or more of them, from time to time, and at all times when they meet, to make a rate in purſuance of this act to rate and aſſeſs the owner or owners of ſuch houſes or tenements, as ſhall be let to or occupied by two or more tenants; which rate and aſſeſſments ſhall be paid by one or more of the tenants or occupiers of any part or parts of ſuch houſes; and in caſe any occupier or occupiers of any part of ſuch houſes or tenements ſhall refuſe to pay the ſame, then the ſaid rate and aſſeſſment ſhall be levied by diſtreſs and ſale of the goods of him, her, or them ſo refuſing to pay the ſame; which diſtreſs and ſale ſhall be made in ſuch manner, as other diſtreſſes and ſales are by this act directed to be made; and ſuch occupier or occupiers of ſuch tenements are hereby required and authorized to pay ſuch ſum and ſums of money, as ſhall be ſo rated or aſſeſſed on the owner or owners thereof in purſuance of this act, and to deduct the ſame out of the rent thereof; and the owner or owners, proprietor or proprietors, thereof are hereby required to allow ſuch deductions and payments upon the receipt of the reſidue of their rents; and every ſuch tenant paying ſuch rate or rates, aſſeſſment or aſſeſſments, ſhall be acquitted and diſcharged for ſo much money, as the ſaid rate or rates, aſſeſſment

9 commiſſioners may aſſeſs owners of houſes let to or occupied by 2 or more,

paid by 1 or more occupiers, or levied by diſtreſs and ſale,

deducted out of rent,

and allowed on receipt of reſidue,

a diſcharge for ſo much.

assessment or assessments, shall amount unto, as if the same had been actually paid to such person or persons, to whom his, her, or their rent should have been due and payable.

If unoccupied, half rate paid by owner.

XXXIX. And be it further enacted by the authority aforesaid, that in case it shall happen, that any of the lands, houses, shops, warehouses, cellars, vaults, or other tenements, or any part or parts thereof, within the said city or county of the said city shall at any time from and after making the said rate or rates, assessment or assessments, be empty, untenanted, or unoccupied, that then and in every such case one half of the said rate or rates, assessment or assessments, or the one half of such other rates as may be assessed by virtue of this act, shall be paid by the owner or proprietors of such lands, houses, shops, warehouses, cellars, vaults, and other tenements; and in case of non-payment thereof, such lands, houses, shops, warehouses, vaults, cellars, or other tenements, shall be and the same are hereby made a security for and chargeable with the arrear of such rates and assessments.

On nonpayment, charged with arrear.

Every tenant or occupier liable to the whole.

XL. And to the end the said rates may be more effectually collected and received, be it further enacted by the authority aforesaid, that all and every tenant or tenants, occupier or occupiers, of lands, houses, shops, warehouses, cellars, vaults, or other tenements, are and shall be liable and pay the whole of such rates to the receiver or receivers, to be appointed by the said commissioners, as therein is directed.

Publick buildings, dead walls, and void spaces, rated by 9 commissioners by every square yard.

XLI. And for as much as it is reasonable, that all publick buildings, dead walls, and void spaces of ground, shall be rated and assessed towards the better paving the said city and county of the city of Dublin, and other places herein after mentioned: therefore be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the said commissioners, or any nine or more of them, at their discretion, and they are hereby required, when and at such time and times as the rates and assessments, hereby directed to be made, shall from time to time be made, to rate and assess all parish churches, church yards, and other yards, chapels, meeting houses, schools, market houses, warehouses, walls, and other buildings, fronting to and having the use and benefit of the publick streets, void spaces of ground, and all publick buildings whatsoever, situate, standing, lying, and being within the said city and county of the city of Dublin, and other places herein after mentioned, at a rate to be settled by nine or more of the said commissioners for every square yard belonging to every such parish church, church yard

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or other yard, chapel, meeting-houſe, ſchool, hall, market-houſe, warehouſe, and other publick buildings whatſoever, the rate or rates, aſſeſſment or aſſeſſments, ſo ſettled, ſhall be paid for ſuch pariſh churches, chapels, and church yards by the reſpective church or chapel wardens, and for ſuch other yards, meeting-houſes, ſchools, halls, market-houſes, warehouſes, walls, and other buildings fronting to and having the uſe and benefit of the ſtreets, and all other publick buildings, by the owner or owners, proprietor or proprietors, occupier or occupiers, of the ſoil, on which ſuch ſtand.

paid by church or chapel wardens, and owners or occupiers of the ſoil.

XLII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall neglect or refuſe to pay the ſum or ſums of money, rated or aſſeſſed by virtue of this act, for the ſpace of ten days after perſonal demand thereof, or demand in writing left at the place of abode or occupation of ſuch perſon or perſons ſo rated and aſſeſſed, and neglecting or refuſing to pay ſuch rate and aſſeſſment, that then and in every ſuch caſe it ſhall and may be lawful to and for ſuch receiver or receivers, appointed to receive the ſaid rates and aſſeſſments, by warrant under the hands and ſeals of two or more juſtices of the peace for the county of Dublin, and for the county and county of the city of Dublin, as the caſe may happen, which warrant the ſaid juſtices are hereby authorized and required to grant, by and with the aſſiſtance of a conſtable of the pariſh or place where ſuch neglect or refuſal ſhall happen, who is hereby required to be aiding and aſſiſting, to enter into any part of the premiſſes within the ſaid city and county of the city of Dublin, and places herein after mentioned, occupied by the perſon or perſons ſo rated and aſſeſſed, and to diſtrain his, her, or their goods and chattles; and if the ſame ſhall not be replevined or the monies paid within five days after ſuch diſtreſs made, together with the coſts of making ſuch diſtreſs, to be aſcertained by any two or more of the ſaid juſtices of the peace for the ſaid county or city, as the caſe may require, then to ſell ſo much and ſuch part thereof as will be ſufficient to pay the ſaid rate and aſſeſſment, together with all coſts and charges attending the ſaid diſtreſs and ſale, returning the overplus (if any) to the owner or owners of ſuch goods and chattles.

On non-payment of aſſeſſments 10 days after demand perſonal or writing left at abode, receivers on warrant of 2 juſtices may with the conſtable enter and diſtrain,

and if no replevin or payment in 5 days with coſts (aſcertained by 2 juſtices) ſell for ſo much.

XLIII. And be it further enacted by the authority aforeſaid, that all the money raiſed by virtue of this act, and all monies appropriated, given, or paid, for the purpoſes of this act, ſhall be and the ſame are hereby veſted in the ſaid commiſſioners,

Money raiſed veſted in commiſſioners for purpoſes of this act only.

and ſhall be applied for the purpoſes of this act, and to and for no other uſe or purpoſes whatſoever.

On quitting places aſſeſſed, to evade payment, diſtrained on 2 juſtices warrant in any place, and ſale, as aforeſaid.

XLIV. And whereas it may happen, that many perſons liable to, and that may be charged and rated towards, defraying the expence of paving and repairing the ſaid ſtreets, ſquares, bridges, quays, lanes, and other places, may, before the ſums, which ſhall be rated on them reſpectively, ſhall be paid, quit and leave their dwelling houſes, warehouſes, ſhops, vaults, cellars, or tenements, in the pariſh or place where they ſhall be ſo rated and aſſeſſed, and remove into ſome other of the ſaid pariſhes or places, or out of the limits thereof, and thereby endeavour to evade the payments of ſuch rates and aſſeſſments: be it further enacted by the authority aforeſaid, that where any perſon or perſons, who hath or have been ſo rated and aſſeſſed, ſhall quit his, her, or their dwelling houſe, warehouſe, ſhop, vault, cellar, or tenement in the pariſh or place, wherein ſuch rate or aſſeſſment has been made, before he, ſhe, or they ſhall have paid the ſame, and ſhall afterwards refuſe to pay the ſame when due, and demanded by the perſon or perſons ſo authorized and appointed to collect and receive the ſame, that then and in every ſuch caſe it ſhall and may be lawful to and for the ſaid receiver or receivers, and every or any of them, by warrant obtained under the hands and ſeals of any two or more juſtices of the peace for the county, where the ſaid offender ſhall be apprehended, as the caſe ſhall happen, which warrant the ſaid juſtices are hereby authorized and required to grant, in any place to diſtrain the goods and chattles of ſuch perſon or perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the overplus, if any ſhall be, after having deducted the reaſonable charges and expences of ſuch diſtreſs and ſale, to the owner of ſuch goods and chattles demanding the ſame, to be aſcertained in like manner as the coſts and charges of other diſtreſſes and ſales are herein before provided and directed to be aſcertained.

9 commiſſioners to rate all other buildings belonging at 4d. *per* ſquare yard of pavement.

XLV. And for the more effectual and proportional rating other buildings and erections belonging to any land, houſe, ſhop, warehouſe, cellar, vault, or other tenement, not already rated for the watch, be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid commiſſioners, or any nine or more of them, and they are hereby required, when and at ſuch time and times as the rates and aſſeſſments hereby are directed to be made, to rate and aſſeſs all other buildings and erections belonging to any ſuch land, houſe, ſhop, warehouſe, cellar, or vault, or other tenement, ſituate, ſtanding

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ing, lying, and being within the ſaid pariſhes and places comprehended within this act, at the rate not exceeding four pence every ſquare yard of pavement belonging to ſuch ſpace of ground, building, or other erection, over and above what ſuch land, houſe, ſhop, warehouſe, cellar, vault, or other tenement, to which ſuch building or erection belongs, ſhall by virue of this preſent act be rated at; the ſaid rates or aſſeſſments to be laid, received, recovered, and, and applied by this act; and all dead walls and void ſpaces in the ſaid ſtreets ſhall be reſpectively rated by the ſaid reſpective commiſſioners, or any five or more of them, according to the annual value which the ſaid reſpective commiſſioners, or any five or more of them, ſhall judge, ſuch grounds would be let for to a ſolvent tenant; and the ſums, which ſhall be ſo aſſeſſed, ſhall be paid by the proprietor of ſuch grounds, until the ſame ſhall be built; and when the ſame ſhall be built, ſuch new houſes ſhall then be rated as the other houſes in the ſaid ſtreet.

dead walls and void ſpaces rated by 5 by annual value by ſolvent tenant,

paid by proprietor till built,

then rated as others in ſame ſtreet,

XLVI. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, paying the rates and aſſeſſments by this act laid, ſhall be, and they and every of them is and are, hereby exempted and diſcharged from the charge and expence of paving or keeping in repair the pavements of the ſaid ſquares, ſtreets, or lanes, or any of them; and alſo from all penalties which may and might be incurred by reaſon or means of their neglecting to pave or keep the ſame in repair.

Paying rates, diſcharged paving or repairing or penalties.

XLVII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall for the future ride, or run, carry, drive, draw, or cauſe to be run, carried, driven, or drawn on any of the footways of any of the ſquares, ſtreets, lanes, courts, alleys, yards, paſſages, or places, which are or ſhall be paved or flagged by virtue of this act, any wheel or wheels, ſledge, wheel barrow, or any carriage whatſoever, ſuch perſon or perſons ſhall forfeit for the firſt offence the ſum of ten ſhillings, for the ſecond offence the ſum of twenty ſhillings, and for the third and every other offence the ſum of forty ſhillings ſterling.

If any ride, or draw any carriage, on foot way,
1ſt 10s.
2d 20s.
40s. after.

XLVIII. And to enable the ſaid commiſſioners to amend, repair, or make new, all ſuch pavements, as they ſhall undertake purſuant to this act, in the city and county of the city of Dublin, and other places herein after mentioned: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid commiſſioners, or any five or more of them, or any perſon or perſons by them duly authorized and appointed, to ſearch for, dig, raiſe, and carry away, any gravel, ſand, ſtones, or other

5 commiſſioners or perſons authorized, may raiſe materials for paving in any grounds, (not deer park, &c.) ſatisfying owner,

other materials, fit and neceſſary for repairing and paving ſtreets in the ſeveral grounds of any perſon (not being a deer park, garden, orchard, yard, or planted walk, or avenue to any houſe) where any ſuch materials may be found, paying ſuch rates for ſuch materials to the owners or occupiers of the ground, from which the ſame ſhall be raiſed, gathered, and carried away, as the ſaid commiſſioners or any five or more of them ſhall judge reaſonable; and in caſe any owner or occupier of ſuch ground ſhall think himſelf injured or aggrieved by the adjudication of the ſaid commiſſioners, it ſhall and may be lawful for ſuch owner or occupier to appeal therefrom to the juſtices of the quarter ſeſſions for the county of Dublin, or the county of the city of Dublin, within their reſpective juriſdictions, who ſhall and are hereby impowered and required finally to determine ſuch matter, and to award ſuch reaſonable ſums for damages to ſuch owner or owners, occupier or occupiers, of the ground from whence ſuch materials ſhall be taken, as ſhall be aſſeſſed by a jury at ſuch ſeſſions upon hearing the reſpective parties and their council, and examination on oath of any witneſſes that ſhall be produced by the parties on either ſide.

who may appeal to ſeſſions,

aſſeſſed by jury on examination on oath.

XLIX. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid commiſſioners, or any ſeven or more of them, to purchaſe any quantity of ground, not being a deer park, garden, orchard, yard, or planted walk, or avenue to any houſe for the purpoſe of ſearching for, digging, raiſing, and carrying away any gravel, ſand, ſtones or other materials, fit and neceſſary for paving and repairing ſtreets, paying ſuch value for the ſame to the owners or occupiers of ſuch ground, as the ſaid commiſſioners or any ſeven or more of them ſhall judge reaſonable, with the like remedy of appeal as before mentioned with reſpect to the digging, raiſing, and carrying away gravel, ſand, and ſtones, and other materials.

7 may purchaſe grounds for materials, not deer park, &c.

paying value,

like appeal.

L. And be it further enacted by the authority aforeſaid, that if any receiver or receivers ſhall happen to die, before he or they ſhall have fully paid and ſatisfied all the money by him or them received by virtue of this act,* and then and in every ſuch caſe the executor or the adminiſtrators, executrix or adminiſtratrix, or other legal repreſentative or repreſentatives, or perſon or perſons poſſeſſing the late eſtate and effects of any ſuch receiver or receivers, ſhall out of ſuch eſtate or effects pay the ſaid treaſurer or treaſurers for the time being all ſuch ſum and ſums of money by ſuch receiver or receivers ſo received and not paid, or ſo much thereof

Repreſentatives of receivers or poſſeſſors of the eſtate, ſhall pay treaſurer thereout ſums received not paid,

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as the ſaid eſtate or effects will extend to pay; and the receipt of three or more of the ſaid commiſſioners ſhall be a good diſcharge for ſuch money; and every executor or adminiſtrator, or other perſons as aforeſaid, may to any action or ſuit commenced or brought againſt him, her, or them, plead or give evidence of the payment of the ſame, and ſhall be allowed payment of the ſame, out of ſuch eſtate or effects; and in caſe of non payment of the ſame by the ſpace of twenty one days, after the ſame ſhall be demanded, it ſhall and may be lawful to and for the ſaid treaſurer or treaſurers for the time being, and he or they is and are hereby directed and required, in his, her, or their own name or names to commence and bring one or more action or actions in any of his Majeſty's courts of record at Dublin againſt ſuch executors or adminiſtrators, or the other perſon or perſons as aforeſaid, for the recovery of the ſame; and after deducting the expence of recovering ſuch ſum the treaſurer ſhall account for the remainder.

receipt by 3 a diſcharge, payment pleaded or evidence given, on nonpayment 21 days after demand treaſurers may ſue.

LI. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid commiſſioners, or any ſeven or more of them, from time to time and at all times hereafter to compound and agree with any perſon or perſons, againſt whom the ſaid commiſſioners, or committees, or any five or more of them ſhall bring or cauſe to be brought any action or actions, ſuit or ſuits, for the penalty or penalties contained in any contract or contracts, to be entered into on account of any breach or non performance of any ſuch contract or contracts, for ſuch ſum and ſums of money as they, or any ſeven or more of them, ſhall think proper; ſo as the ſum, ſo compounded and agreed for, be not leſs than the injury or damage ſuſtained by the breach or non performance of ſuch contract or contracts, and all the coſts, charges, and expences, which ſhall be occaſioned thereby.

7 may compound ſuits for penalties in contracts, not leſs than the damage for breach and expences.

LII. And be it further enacted by the authority aforeſaid, that all the penalties and forfeitures by this act impoſed (where the manner of levying and recovering thereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by reaſonable and adequate diſtreſs and ſale of the offenders goods and chattles under the hand and ſeal of a juſtice of the peace, as the caſe may be; which warrant ſuch juſtice of the peace is hereby impowered and required to grant upon the confeſſion of the party or parties, or upon the evidence of any one or more credible witneſs or witneſſes upon oath (which oath ſuch juſtice is hereby required to adminiſter) and the penalties and forfeitures, when recovered, after rendering the overplus, if any be, upon

Penalties, not otherwiſe directed, levied by adequate diſtreſs and ſale on warrant, paid to treaſurer,

demand to the party or parties whoſe goods and chattles ſhall be ſo diſtrained and ſold, the charges of ſuch diſtreſs and ſale being firſt deducted, ſhall be paid to the treaſurer for the time being, and be applied towards the purpoſes of this act; and in caſe ſufficient diſtreſs cannot be found, and ſuch penalties or forfeitures ſhall not be paid, it ſhall and may be lawful for ſuch juſtice, and he is hereby authorized and required, by warrant under his hand and ſeal to commit ſuch offender or offenders to the houſe of correction for any time not exceeding two months.

if no diſtreſs or payment, committed not above 2 months.

LIII. And be it further enacted by the authority aforeſaid, that no proceeding * be had touching the conviction of any offender or offenders againſt this act, or any order be made, or any matter or thing to be done or tranſacted in or relating to the execution of this act, ſhall be vacated or quaſhed for want of form, or be removed by *certiorari*, or any other writ or proceſs whatſoever, in any of his Majeſty's courts of record at Dublin; any law or ſtatute to the contrary notwithſtanding.

No proceeding quaſhed for form, or removed by *certiorari*, &c.

LIV. Provided always, and be it enacted by the authority aforeſaid, that if any perſon ſhall think himſelf or herſelf aggrieved by any thing done in purſuance of this act, and for which no particular method of relief hath been already appointed, ſuch perſon may appeal to the juſtices of the peace at any general quarter ſeſſions of the peace, to be held for the county or place wherein the cauſe of complaint ſhall ariſe, and within three months after the cauſe of ſuch complaint ſhall have ariſen, ſuch appellant firſt giving or cauſing to be given twenty one days notice at leaſt in writing of his or her intention to bring ſuch appeal, and of the matter thereof, to the clerk or treaſurer to the ſaid commiſſioners, and within two days after ſuch notice entering into recognizance before ſome juſtice of the peace of ſuch county or place with two ſufficient ſureties, conditioned to try ſuch appeal at the ſaid ſeſſions, and abide the order of, and to pay ſuch coſts as ſhall be awarded by, the juſtices at ſuch quarter ſeſſions; and the ſaid juſtices at ſuch ſeſſion, upon due proof of ſuch notice being given as aforeſaid, and of entering in ſuch recognizance, ſhall hear and finally determine the cauſes and matters of ſuch appeal in a ſummary way, and award ſuch coſts to the parties appealing or appealed againſt, as they the ſaid juſtices ſhall think proper; and the determination of ſuch quarter ſeſſions ſhall be finally binding and concluſive to all intents and purpoſes.

Appeal to ſeſſions where no relief appointed,

in three months,

21 days notice in writing to clerk or treaſurer,

and recognizance in 2 days after with 2 ſureties,

heard ſummarily,

coſts awarded,

final.

LV. And be it further enacted by the authority aforeſaid, that where any diſtreſs ſhall be made for any ſum or ſums of money to

No diſtreſs unlawful, nor parties treſpaſſers on want of form,

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to be levied by virtue of this act, the diſtreſs itſelf ſhall not be deemed unlawful, nor the party or parties making the ſame be deemed a treſpaſſer or treſpaſſers on account of any default or want of form in any proceedings relating thereto, nor ſhall the party or parties be deemed a treſpaſſer or treſpaſſers *ab initio* on account of any irregularity, which ſhall be afterwards done by the party or parties diſtraining; but the perſon or perſons aggrieved by ſuch irregularity may recover full ſatisfaction for the ſpecial damage in an action on the caſe.

ſatisfaction in *Caſe* for ſubſequent irregularity.

LVI. Provided always, that no plaintiff or plaintiffs ſhall recover in any action for any ſuch irregularity, treſpaſs, or other proceedings, if tender of ſufficient amends ſhall be made by or on behalf of the party or parties, who ſhall have committed or cauſed to be committed any ſuch irregularity, treſpaſs, or wrongful proceedings, before ſuch action brought; and in caſe no ſuch tender ſhall have been made, it ſhall and may be lawful for the defendant or defendants in any ſuch actions by leave of the court, where ſuch actions ſhall depend, at any time before iſſue joined to pay into court ſuch ſum of money, as he or they ſhall ſee fit; whereupon ſuch proceedings, or order, and judgments ſhall be had, made, and given, in and by ſuch court, as in other actions where the defendant is allowed to pay money into court.

Not if ſufficient amends tendered before action,

defendants by leave may before iſſue pay into court,

order thereon as in other actions.

LVII. And be it enacted by the authority aforeſaid, that in order to raiſe a ſum ſufficient in each of the ſaid five diviſions for the purpoſe of this act it ſhall and may be lawful for the ſaid commiſſioners, or any fourteen of them, to mortgage any part of the funds ariſing from this act in each of ſaid five diviſions for any number of years, provided that the funds, ſo to be mortgaged, ſhall not in the whole exceed one third part of the annual income in each of ſaid five diviſions; and that the ſum, ſo raiſed in each diviſion, ſhall be applied and diſpoſed of in the diviſion, upon which the ſame ſhall be ſo raiſed.

14 commiſſioners may mortgage for years,

not above 1-3d of income in each diviſion,

the money applied in the diviſion.

LVIII. And whereas it may happen, that the commiſſioners may think it neceſſary for enlarging or rendering more commodious the ſtreets, ſquares, and paſſages, and the quays of this city, and the narrow paſſage of Saint James's gate, to take down ſome houſe or other buildings, or to take in ſome parcel of ground, which they may not be enabled to effectuate by any of the authorities herein contained: be it enacted by the authority aforeſaid, that the ſaid commiſſioners may and are hereby authorized to contract with the owner of any houſe or building, or with the owner of any piece of ground, for the purchaſe of the ſaid houſe or building, or of ſuch piece of ground for the

May purchaſe buildings or ground for publick uſe,

paying out of the rates as agreed with owner,

uſe

uſe of the publick, paying for the ſame out of the monies ariſing from the ſaid rates ſuch ſum as ſhall be agreed upon between any fourteen of them and ſuch owner; and, in caſe they cannot agree, paying a reaſonable recompence to be aſcertained upon the oaths of twelve indifferent men of the city and pariſhes aforeſaid (which oath any two of the commiſſioners are hereby empowered to adminiſter) and they, or any ſeven of them, are empowered from time to time to iſſue a ſummons under their hands and ſeals, requiring an indifferent jury of twenty four men of the city or pariſhes aforeſaid to attend at ſuch time and place as ſhall be expreſſed in ſuch ſummons; and the commiſſioners ſhall at ſuch time and place ſwear twelve of the twenty four, who ſhall be drawn by ballot by the clerk to the ſaid commiſſioners; which twelve ſhall be a jury for aſcertaining the value of ſuch houſe or building, whoſe valuation therein ſhall be concluſive to all parties; and the commiſſioners, or any fourteen of them, ſhall order ſuch houſe or building to be taken down and removed, and the expences attending taking down the ſame ſhall be paid by the commiſſioners out of the monies ariſing from the ſaid rates; and the ſite of ſuch houſe or building, or of ſuch part of ſuch building, and ſuch parcel of land ſo purchaſed by the commiſſioners, ſhall be laid into the ſaid ſtreets, ſquares, and paſſages, for the widening, enlarging, and rendering more commodious the ſame, as the commiſſioners ſhall think proper, and ſhall for ever after be deemed part of the ſaid publick ſtreets, ſquares, and paſſages, and be paved, repaired, and cleanſed in the ſame manner, as the other ſtreets, ſquares, and paſſages in the city and pariſhes aforeſaid are directed to be repaired and cleanſed, and ſhall be ſubject to all the powers herein contained relative to the ſaid ſtreets, ſquares, or other paſſages in the city and pariſhes.

or aſcertained by jury,

7 may ſummon 24 jurors,

12 drawn by ballot, ſworn,

their valuation concluſive,

14 may remove, ſuch buildings,

laid into the ſtreets, &c.

paved, cleanſed, others,

ſubject to like powers.

LIX. Provided always, that nothing herein ſhall extend or be conſtrued to extend to authorize or impower the ſaid commiſſioners to make new ſtreets or paſſages; any thing herein contained to the contrary notwithſtanding.

Not to make new ſtreets or paſſages.

LX. And as it may happen, that ſome bodies politick, feoffees in truſt, or others, may be poſſeſſed of the ſaid buildings or hereditaments, and ſuch perſons may be willing to agree for the ſale of ſuch houſes or hereditaments, but may be incapable of granting or conveying the ſame by reaſon of infancy or other diſability: be it enacted by the authority aforeſaid, that all perſons whomſoever, who are or ſhall be owners or proprietors of, or poſſeſſed of, or intereſted in any ſuch buildings or hereditaments,

All proprietors may treat for the purchaſe,

ments, may treat and agree with the ſaid commiſſioners, or any fourteen of them, for the purchaſe of ſuch buildings or hereditaments, or any part thereof, or for their intereſt therein, for the purpoſe aforeſaid, and may ſell and convey the ſame, as occaſion ſhall require; and all agreements and conveyances, which ſhall be ſo made, ſhall be valid to all intents whatſoever; any law, uſage, or cuſtom to the contrary notwitſtanding: and all bodies politick, corporate, or collegiate, feoffees in truſt, executors, truſtees, and other perſons, are hereby indemnified, for what they ſhall do in purſuance of this act.

ſell and convey, corporate bodies, truſtees, &c. indemnified for acting.

LXI. And be it enacted by the authority aforeſaid, that where any ſtreet, quay, alley, ſquare, bridge, or lane, ſhall be within two or more diviſions, the commiſſioners ſhall be and are hereby impowered to proportion the expence to be paid for the purpoſe of paving the ſame on the ſaid diviſions, in which the ſame ſhall lie, in ſuch manner as they or any nine of them ſhall think proper, and to order the paving to be executed under the direction of whatever committee, the ſaid commiſſioners or any nine of them, ſhall appoint.

Streets in ſeveral diviſions, expence of paving proportioned by 9,

LXII. And be it further enacted by the authority aforeſaid, that the aforeſaid commiſſioners or committees ſhall have full power and authority to oblige all inhabitants of quays to keep in proper repair and decent order the walls, that embank the river before their reſpective houſes, and to oblige the ſaid inhabitants to keep their parapet walls regular and of an even height, in ſuch manner and of ſuch height as the ſaid commiſſioners or any nine ſhall think fit and ſafe; and that all ſuch walls ſhall be coped with one even cut ſtone of mountain grit; and that in default thereof the ſaid commiſſioners or committee of the diviſion are impowered, where the ſaid neglect ſhall happen, to ſerve the inhabitant with notice in writing, to be left at his houſe, requiring him to repair, raiſe, or lower the ſaid wall before his houſe, and to cope with mountain grit ſtone as aforeſaid; and in caſe ſuch inhabitant ſhall neglect or refuſe to repair, alter, or cope the ſaid wall, within one month after ſaid notice is ſerved, that then it ſhall and may be lawful to and for the ſaid commiſſioners or committee in ſuch diviſion as the ſaid default ſhall ſo happen, to repair, raiſe, lower, and cope the ſaid wall, and levy the coſt thereof by ſale of the goods and effects of the ſaid inhabitant refuſing or neglecting to repair, alter, or cope his wall as aforeſaid.

Inhabitants of quays to keep the parapet even, and coped with mountain grit,

refuſing to repair, alter, or cope, 1 month after written notice,

the coſts levied.

LXIII. Provided always, that this ſhall not extend to exonerate the corporation of Dublin, or any perſon or perſons who by any cuſtom or contract is or are obliged to build, repair, or

Not to exonerate thoſe liable by cuſtom or contract to repair.

keep in order the walls on the ſaid river; but the ſaid corporation of Dublin, and all other perſon and perſons as aforeſaid, liable and chargeable with the ſaid repairs, ſhall be compelled thereto by the commiſſioners or committees in manner herein before mentioned, as perſons inhabiting of quays are ſubject and liable to.

1ſt payment 29 *September*.

LXIV. And be it enacted by the authority aforeſaid, that the firſt payment, to be made by virtue of this act, ſhall be made on the twenty ninth day of September next.

Liberties and ſtreets annexed to pariſhes for purpoſes of this act.

LXV. And be it enacted by the authority aforeſaid, that the powers, veſted by this bill in the commiſſioners, may extend to the liberties of Chriſt church and Saint Patrick's and to Cavendiſh-row, Palace row, Gardiner's row, Great George's ſtreet, Great Britain ſtreet, Summer hill, and Temple ſtreet; and that the liberty of Chriſt church be annexed to the pariſh of Saint Michael's; the liberty of Saint Patrick's to Saint Nicholas without, and Cavendiſh ſtreet, Palace row, Gardiner's row, Great George's ſtreet, Great Britain ſtreet, Summer hill, and Temple ſtreet, be annexed to the pariſh of Saint Thomas, as to the powers veſted in the ſeveral proteſtant inhabitants of the ſame, for the purpoſes of this act, and that the powers veſted in the commiſſioners and ſeveral committees may ſeverally extend to the ſame, as annexed to the ſeveral pariſhes under the direction of the ſaid committees.

Sackville, Marlborough ſtreet excepted.

LXVI. And be it enacted by the authority aforeſaid, that no powers granted in this bill to the commiſſioners or committees ſhall extend to Sackville ſtreet, or Marlborough ſtreet.

Orders entered ſigned by clerks at meetings,

LXVII. And be it further enacted by the authority aforeſaid, that all orders and proceedings of the ſaid commiſſioners or committees at their meetings ſhall be entered in a book or books to be kept for that purpoſe; and ſuch orders and proceedings ſo entered ſhall be ſigned by the clerk or clerks at any meeting of the ſaid commiſſioners aſſembled, or a ſufficient *quorum* of them, as the caſe ſhall require, except in caſes of adjournment; and ſuch orders ſhall be deemed and taken to be original orders; which ſaid book or books ſhall and may be produced and read in evidence in all courts whatſoever.

deemed original, evidence in all courts,

No act valid, unleſs at meeting of the neceſſary number.

LXVIII. And be it enacted by the authority aforeſaid, that no act or order of the ſaid commiſſioners or committees ſhall be valid, unleſs done or made at ſome publick meeting, which ſhall conſiſt of either three, five, ſeven, or nine, as may be neceſſary under any part of this act.

Majority attending impowered,

LXVIX. Provided always, that all the powers and authorities of this act, granted to or veſted in ſuch commiſſioners, ſhall and may from time to time be exerciſed by the major part of them,

as

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as ſhall attend at any publick meeting to be holden as herein before mentioned; and all the orders and proceedings of the major part of ſuch commiſſioners, preſent at ſuch publick meetings, ſhall have the ſame force and effect, as if done or made by all ſuch commiſſioners for the time being.

No ſuit till 8 days written notice to clerk or treaſurer,

LXX. And be it further enacted by the authority aforeſaid, that no action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, until eight days clear notice ſhall be thereof given in writing to the clerk or treaſurer to the ſaid commiſſioners; nor ſhall any action be continued, unleſs at the peril of the party, after ſufficient ſatisfaction or tender thereof hath been made to the party or parties aggrieved; or any action inſtituted or commenced, unleſs it be commenced within ſix calendar months next after the fact committed, for which ſuch action or actions, ſuit or ſuits, ſhall be ſo brought; and every ſuch action ſhall be brought, laid, and tried in the county, where ſuch matter and things reſpectively ſhall be committed or done, and not in any other county; and that the defendant or defendants in ſuch actions and ſuits, and every of them, may plead the general iſſue, and give this act and the ſpecial matter in evidence, at any trial or trials which ſhall be thereupon; and that the matter or thing, for which ſuch action or actions, ſuit or ſuits, ſhall be ſo brought, was done in purſuance and by the authority of this act; and if the ſaid matter or thing ſhall appear to have been ſo done, or if it ſhall appear, that ſuch action or ſuit was brought before eight clear days notice thereof given as aforeſaid, or that ſufficient ſatisfaction was made or tendered as aforeſaid, or if any ſuch action or ſuit ſhall not be commenced within the time before for that purpoſe limited, or ſhall be laid in any other county or place than as aforeſaid, then the jury or juries ſhall find for the defendant or defendants therein; and if a verdict or verdicts ſhall be found for ſuch defendant or defendants, or if the plaintiff or plaintiffs in ſuch action or actions, ſuit or ſuits, ſhall become nonſuited, or ſuffer a diſcontinuance of ſuch action or actions, or if by default, or upon any demurrer or demurrers in any ſuch action, judgment ſhall be ſo given for the defendant or defendants therein, then and in any of the caſes aforeſaid ſuch defendant or defendants ſhall have treble coſts, and ſhall have ſuch remedy for recovering the ſame, as any defendant or defendants may have for his, her, or their coſts in any other caſes by law.

after ſatisfaction tendered, continued at party's peril,

in 6 months after cauſe of action,

laid and tried in the county,

defendants may plead general iſſue, give the matter in evidence,

and have treble coſts on nonſuit, &c. or in any of ſaid caſes,

LXXI. And be it further enacted by the authority aforeſaid, that the coſts and charges of preparing, drawing, obtaining, and paſſing

Coſts of this act firſt paid.

paſſing this act ſhall be paid by the ſaid commiſſioners, as ſoon as may be, out of the firſt money ſo to be received by virtue thereof.

Commiſſioners incorporated and named,

LXXII. And be it further enacted by the authority aforeſaid, that the commiſſioners ſhall be one body corporate by the name of "the commiſſioners for paving the ſtreets of Dublin;" and ſhall have a common ſeal to be by them appointed; and they and their ſucceſſors to be elected in the place of ſuch of the ſaid commiſſioners herein named, and to be aſſociated to them as by this act is directed, ſhall have perpetual ſucceſſion, and may ſue and be ſued in all courts of law or equity in any cauſes or ſuits to be brought by or againſt them by that name; and may take any ſecurities upon any contracts to be made by them for any of the purpoſes, herein before or after mentioned, in order to the more effectual carrying this act into execution.

have common ſeal,

perpetual ſucceſſion, to ſue and be ſued,

and take ſecurities.

Juſtices precept to ſheriff to return to ſeſſions 48 of moſt reſpectable citizens,

LXXIII. And whereas the city of Dublin is greatly encreaſed in the number of houſes and inhabitants, inſomuch that the lord mayor of the ſaid city cannot ſo ſtrictly attend the inſpection of the markets of the ſaid city as uſual, and perform the other requiſite duties of his office: be it enacted by the authority aforeſaid, that the juſtices of the peace for the county of the ſaid city at the time of their iſſuing their precept to the ſheriffs of the county of the ſaid city for holding the general quarter ſeſſions of the peace for the county of the ſaid city ſhall from time to time iſſue alſo a precept to the ſaid ſheriffs, requiring them to return to the ſaid juſtices at the ſaid ſeſſions forty eight of the moſt reſpectable citizens of the ſaid city, twenty four of whom to be ſworn as a market jury for the ſaid city; and the ſaid ſheriffs are hereby required to ſummon and to return forty eight ſuch citizens of the ſaid city for the purpoſe aforeſaid; and the ſaid juſtices ſhall cauſe the ſaid market jury to be ſworn in open court at the ſaid ſeſſions, one by one (to wit) that he will well, truly, and diligently execute the office of a market juror of the ſaid city without favour or affection, malice, or illwill to any perſon or perſons whatſoever. And the ſaid market jury for the time being, or any three of them, are hereby required and empowered at ſeaſonable hours to viſit the markets, ſtore houſes, working houſes, cellars, and ſhops in the city or liberties thereof, where proviſions or victuals are ſold or made up or making up for ſale in the ſaid city or liberties thereof, and to inſpect the quality of ſaid proviſions and victuals; and in caſe the ſaid jury or any three of them ſhall at ſuch times find any unwholeſome or bad proviſion or victuals, or any proviſions or victuals fraudulently or illegally made up, or

24 ſworn as market jury in open court one by one,

Barriſters &c. exempted by 15 & 16 *G.* 3. *c.* 20. *ſ.* 43.

3 at ſeaſonable hours to viſit and inſpect proviſions for ſale.

if unwholeſome, fraudulent, or in hands of foreſtallers, &c. ſhall ſeize

provisions or victuals in the hands of any forestallers, regrators, or ingrossers, in every such case the said jury or any three of them are hereby required and impowered to seize the said provisions or victuals, and the person exposing the same to sale, or claiming to be the owners thereof, and immediately, or as soon as conveniently can be, to carry or cause to be carried the said provisions and victuals and the said persons before the lord mayor of the said city, who is hereby required and empowered to hear, determine, and condemn the same, and to dispose of the said provisions and victuals as he shall think proper, and to fine the said persons any sum not exceeding ten pounds; the said fine to be levied by distress and sale of the offenders goods and chattles by warrant under the hand and seal of the said lord mayor; and for want of sufficient distress the party to be committed to the common gaol of Newgate, there to remain without bail or mainprize for one month, or until such time as the said fine shall be paid: and each market juror to be sworn, or any three of them, shall have full power and authority to execute the said office of a market jury from the time of their being sworn, until the next market jury shall be sworn at the ensuing general quarter sessions of the peace to be held for the county of the said city; and if any person or persons shall molest or interrupt the said market jury or any of them in the execution of their office, such person or persons, being convicted thereof by indictment or information, shall be punished by fine and imprisonment in such manner, as to the said court, which tries the offence, shall seem fit. And if any person, being duly summoned and returned by the said sheriffs to serve as a market juror, shall refuse, neglect, or omit to appear pursuant to the said summons, and take the oath aforesaid, or shall neglect or refuse to execute the said office, it shall be lawful for the justices at their said sessions, and they are hereby required and impowered, to impose a fine, not exceeding five pounds on every such person; and the lord mayor of the said city is hereby required and impowered to issue his warrant for the levying the said fine by distress and sale of the goods and chattles of the said person, and pay over the same so levied, or any other fines imposed under this act, and not particularly applied, to the governors of the blue coat hospital in the said city for the use of the said hospital.

with owners, and carry before lord mayor.

condemned and disposed of,

and fine not above 10*l.*

by distress and sale,

or imprisonment 1 month,

jury to act till next sworn.

if molested, fine and imprisonment,

juror, not appearing or acting, fined not above 5*l.*

by distress and sale on mayor's warrant,

with other fines not applied to blue coat hospital.

LXXIV. And whereas several acts of parliament were passed in this kingdom in the fourth and sixth years of the reign of King George the first, and in the third year of the reign of his late Majesty King George the second, for the regulation of the

7 commissioners may enforce 4 *G.* 1. c. 11. and 6 *G.* 1. c. 15. and 3 *G.* 2. c. 13.

paving and cleanſing the ſtreets, lanes, and allies, in the city and ſuburbs of Dublin: be it enacted by the authority aforeſaid, that the ſaid commiſſioners, or any ſeven or more of them, may be veſted with full and ſufficient power and authority to enforce the execution of the ſaid acts by ſuch proper ways and means, as to them ſhall ſeem moſt proper and convenient. A. D. 1773-4.

LXXV. And whereas the pavements of the ſaid city are greatly annoyed and broken up by the narrowneſs of the wheels of the carts and drays uſed by brewers, ſcavengers, and other perſons, and for the carriage of ſtones, bricks, ſand, dung, and other things: be it further enacted by the authority aforeſaid, that from and after the ſixth day of June next, that all the clauſes and proviſions contained in one other act of parliament paſſed in this kingdom in the *twentieth year of the reign of his ſaid late Majeſty King George the ſecond, entitled, *An act for making more effectual the ſeveral acts paſſed for repairing and amending the ſtreets and highways in and about the city of Dublin*, which relate to the breadth of the wheels of carts and waggons drawn by two or more horſes or beaſts of draught, ſhall from and after the paſſing this act be conſtrued to extend to and ſhall extend to carts, drays, and waggons drawn by one horſe or beaſt of draught only, in the ſame manner as they now extend to thoſe drawn by two or more ſuch horſes or beaſts of draught. 29 *G.* 2. c. 13. as to the breadth of cart wheels with 2 horſes, extended to carts and drays drawn by one only.

LXXVI. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed a publick act, and ſhall be judicially taken notice of as ſuch, by all judges, and juſtices, and other perſons without ſpecially pleading the ſame. A publick act.

CHAP. XXIII.

An act for the better regulation of the admiſſion and practice of attornies.

WHEREAS the admiſſion of attornies in the courts of king's bench, common pleas, and exchequer in this kingdom is of the greateſt conſequence and concern to the publick in general, and particularly to the ſuitors in the ſaid courts: and whereas it has heretofore been a frequent practice among the inferior claſs of attornies of ſaid courts to take apprentices of low education, whoſe circumſtances or condition of fortune frequently induce them to be guilty of mean and improper practices to the diſhonour of the profeſſion, and to the great injury and

A. D. 1773-4. Chap. 23.

and damage of their clients and the publick in general: for remedy whereof, and to the end that the admiſſion of perſons into the ſaid profeſſion may hereafter be properly ordered and regulated, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Trinity term one thouſand ſeven hundred and ſeventy four it ſhall and may be lawful for the judges of the ſaid court of king's bench, or any two of them, and they are hereby required, to appoint the prothonotary of the ſaid court for the time being, or his deputy, and four of the moſt reputable practiſing attornies of the ſaid court, to examine all perſons applying to be admitted attornies of the ſaid court, and for the other purpoſes herein mentioned, to continue during the pleaſure of the ſaid court of king's bench, who are hereby required, if any of the ſaid perſons ſhall be diſplaced, diſqualified to act, or diſabled to practice, to appoint one or more perſon or perſons in his or their places, ſo that the number of examiners ſhall not be leſs than four attornies at any time.

2 Judges of B. R. to appoint prothonotary or deputy and 4 moſt reputable practiſers examiners on admitting attornies,

during pleaſure,

and others on diſability,

4 attornies examiners.

II. And be it further enacted by the authority aforeſaid, that from and after the firſt day of Trinity term one thouſand ſeven hundred and ſeventy four it ſhall and may be lawful for the judges of the ſaid court of common pleas, or any two of them, and they are hereby required, in like manner to appoint the prothonotary of the ſaid court for the time being, or his deputy, and four of the moſt reputable practiſing attornies of the ſame court, to examine all perſons applying to be admitted attornies of the ſaid court, and for the other purpoſes herein mentioned, to continue during the pleaſure of the ſaid court of common pleas, who are hereby required, if any of the ſaid perſons ſhall be diſplaced, diſqualified to act, or diſabled to practice, to appoint one or more perſon or perſons in his or their places, ſo that the number of examiners ſhall not be leſs than four attornies at any time.

The like in C. B.

III. And be it further enacted by the authority aforeſaid, that from and after the ſaid firſt day of Trinity term one thouſand ſeven hundred and ſeventy four it ſhall and may be lawful for the barons of the ſaid court of exchequer, or any two of them, and they are hereby required, in like manner to appoint the chief remembrancer, the treaſurer, or ſecond remembrancer, and the clerk of the pleas of the exchequer, for the time being, or their reſpective deputies, and four of the moſt reputable practiſing attornies

In exchequer the remembrancer, clerk of pleas, &c. and 4 attornies.

attornies of the ſaid court to examine all perſons applying to be admitted attornies of the ſaid court; and for the other purpoſes herein mentioned, to continue during the pleaſure of the ſaid court of exchequer, who are hereby required, if any of the ſaid perſons ſhall be diſplaced, diſqualified to act, or diſabled to practice, to appoint one or more perſon or perſons in his or their places, ſo that the number of examiners ſhall not be leſs than four attornies at any time.

None admitted, unleſs beſides the requiſites by 7 *G.* 2. *c.* 5. he procure certificate of 3 examiners as to his morals and qualifications, and of being a proper perſon,

IV. And be it further enacted by the authority aforeſaid, that from and after the laſt day of Trinity term one thouſand ſeven hundred and ſeventy four no perſon applying to be admitted an attorney of the ſaid courts of king's bench, common pleas, or exchequer, or any of them, ſhall be admitted an attorney of any of the courts aforeſaid, unleſs over and above and beſides the requſites, appointed to be performed by a certain ſtatute made in this kingdom in the ſeventh year of the reign of his late Majeſty King George the ſecond, entitled, *An act for the amendment of the law in relation to popiſh ſolicitors, and for remedying other miſchiefs in relation to the practitioners in the ſeveral courts of law and equity*, ſuch perſon, who ſhall apply to be admitted an attorney, ſhall firſt procure a certificate of the ſaid perſons ſo appointed, or three of them, ſigned by them, ſetting forth that they have ſtrictly enquired and examined into the morals and qualifications of the perſon ſo applying to be admitted an attorney, and that they think him a proper perſon to be ſo admitted; which certificate ſhall be filed in the court, of which ſuch perſon ſhall ſo apply to be admitted; and an atteſted copy thereof ſhall be produced and openly read in the ſaid court previous to his being ſworn an attorney therein.

certificate filed, atteſted copy firſt openly read.

Notice of application poſted on each court one full term before, with his name, whom ſerving, parents, and reſidence,

V. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall ſo apply to be admitted an attorney as aforeſaid from and after the ſaid laſt day of Trinity term one thouſand ſeven hundred and ſeventy four, ſhall give notice in writing of ſuch his intended application, to be publiſhed and poſted upon each of the ſaid courts one full term preceding ſuch his intended application, ſpecifying therein his name and ſirname, whom he ſerved, the names and additions of his parents, and, if they be living, where they reſide; and that ſuch publication of the ſaid notice ſhall be made appear to the perſon ſo appointed by the court, or three of them, where ſuch perſon ſhall ſo apply to be admitted an attorney, by an affidavit to be firſt filed in the proper office of ſuch court or courts, and for the filing and atteſting

and affidavit filed in the court, ſee 2s.

A. D. 1773-4 Chap. 23.

atteſting the copies thereof the ſum of two ſhillings, and no more, ſhall be paid.

VI. And whereas many inconveniencies and miſchiefs have frequently ariſen and daily ariſe to ſuitors and others, by reaſon that perſons, who have been legally admitted attornies of the courts, but who afterwards reſided intirely or for the moſt part in the country, do there in like manner take apprentices from amongſt the lower claſs of the people without education as aforeſaid, or any neams of ſubſiſting themſelves, and cauſe them to be ſworn attornies of the ſaid courts, where it often happens, they never after appear, but become common barreters or promoters of ſuits eſpecially amongſt labouring and induſtrious poor people, to the impoveriſhing and ruin of them and their families: and whereas ſeveral attornies, who attend the ſaid courts at Dublin, ſuffer perſons not qualified to proſecute and defend ſuits both at law and in equity in the ſaid courts in their names, whereby great injury does ariſe to the ſuitors and to the publick: therefore be it enacted by the authority aforeſaid, that no perſon whatſoever, hereafter to be bound an apprentice to an attorney of any of the ſaid courts, ſhall be admitted an attorney thereof, unleſs he ſhall make appear to the judges of the court, in which he ſo applies to be admitted, by affidavit or affidavits to be filed in the proper office, or an atteſted copy or atteſted copies thereof, (for the filing and copy of which the ſum of two ſhillings, and no more, ſhall be paid) or in ſuch other manner as ſuch judges ſhall for that purpoſe appoint or direct, that as well the attorney, to whom he ſhall ſo have been bound, ſhall have ſerved, according to the aforeſaid act of the ſeventh of George the ſecond, as alſo that the ſaid perſon ſo applying to be admitted ſhall have for the ſpace of three years next before the time of ſuch application attended for two terms at the leaſt in every year at the four courts in Dublin, or ſuch one of them whereof ſuch attorney is a member.

No apprentice admitted attorney, without affidavit, or as by judges directed, that the attorney, to whom bound, ſerved as by 7 *G.* 2. *c.* 5. and that 3 years preceding the perſon applying attended the courts 2 terms a year.

VII. Provided always, and be it enacted by the authority aforeſaid, that in caſe of ſickneſs or other unavoidable accidents the judges and barons of the ſaid courts reſpectively ſhall and may make ſuch allowances and exceptions, as they in their diſcretion ſhall think fit.

Allowance for ſickneſs or accidents.

VIII. And be it further enacted by the authority aforeſaid, that no perſon ſhall for the future be permitted to practice or make uſe of the name of any attorney of any of the ſaid four courts in Dublin, unleſs he ſhall have been regularly admitted an attor-

None to practice or uſe attorney's name, unleſs regularly admitted in ſome other court,

ney in ſome other of the ſaid courts; and that from and after the ſaid firſt day of Trinity term one thouſand ſeven hundred and ſeventy four it ſhall and may be lawful for the judges and barons of the ſaid courts reſpectively, wherein any perſon not properly qualified ſhall preſume to act or practice, or make uſe of the name of any attorney as aforeſaid, by order of court to require any perſon ſo making uſe of the name of any attorney as aforeſaid, or otherwiſe practicing without being properly qualified, as alſo any perſon or perſons permitting his or their name or names to be ſo uſed, and all and every ſuch other perſon or perſons as the ſaid judges or barons reſpectively ſhall think neceſſary or proper, to appear before them reſpectively in open court, and to examine upon oath ſuch perſon or perſons in relation to ſuch practice; and if ſuch unqualified perſon, or ſuch perſon permitting his name to be made uſe of as aforeſaid, ſhall upon ſuch order being duly ſerved upon him refuſe or neglect to appear, or if after appearance by his or their voluntary confeſſion, or by proof made by one or more credible witneſs or witneſſes upon oath, it ſhall appear, that ſuch perſon or perſons hath or have ſo acted or practiced, or permitted his or their name or names to be made uſe of as aforeſaid, that then and in any of theſe caſes it ſhall and may be lawful for the ſaid judges and barons of the ſaid courts reſpectively for every ſuch offence to puniſh ſuch unqualified perſon or perſons, or ſuch perſon or perſons ſo permitting his or their name or names to be made uſe of, as for a contempt of ſuch court.

judges may order appearance in court and examination on oath as to ſuch practice,

and on refuſal or proof puniſh as for contempt perſons unqualified, or permitting their names to be uſed.

IX. Provided this act, or any thing herein contained, ſhall not extend or be conſtrued to extend to prevent the ſaid judges or barons, or any of them, from examining and enquiring into the character and qualifications of ſuch perſons, as ſhall apply to be admitted attornies in their reſpective courts, or from admitting or refuſing to admit ſuch perſons in ſuch manner, and with diſcretion, as the ſaid judges and barons reſpectively have heretofore in that behalf lawfully uſed.

Judges not prevented from examining the character and qualifications, and admitting or refuſing, as before.

CHAP.

A. D. 1773-4.

CHAP. XXIV.

An act for amending two acts paſſed in the laſt ſeſſions, the one entitled, an act for the relief of poor infants who are or ſhall be deſerted by their parents; the other, entitled, an act for preventing the ſpreading of fires, and for appointing of watches in cities and towns corporate, and for other purpoſes.

11 & 12 *G.* 3. *c.* 15.

WHEREAS an act paſſed in the laſt ſeſſion of parliament for the relief of poor infants, who are or ſhall be deſerted by their parents, the proviſions of which extend only to pariſhes within cities: and whereas it is reaſonable, that other pariſhes as well as thoſe within cities ſhould be obliged to maintain ſuch poor children, as ſhall be deſerted and left within the ſaid reſpective pariſhes: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and the commons in this preſent parliament aſſembled, and by the authority of the ſame, that in every pariſh in this kingdom (except in the cities of Dublin and Cork, for which proviſion is made by particular acts of parliament) a veſtry ſhall be held annually at ſuch time, by ſuch perſons, and in ſuch regulations, and inveſted with ſuch powers, as is directed by the ſaid firſt act with reſpect to pariſhes within cities; and that the overſeers in ſuch pariſhes reſpectively ſhall take up, and provide for the maintenance and education of all ſuch children, as ſhall be deſerted and expoſed within their reſpective pariſhes, at the age of twelve months or under, ſubject to the reſtrictions in the ſaid firſt mentioned act; and ſuch ſums of money, as ſhall be neceſſary for the purpoſes aforeſaid, ſhall be raiſed upon the reſpective pariſhes in the ſame manner, and with ſuch remedies, as other pariſh ceſſes.

in every pariſh (ſave *Dublin* and *Cork*) ſuch annual veſtries held as in cities by 11 & 12 *G.* 3. *c.* 15.

overſeers to take up and provide for deſerted children of 12 months or under as by ſaid act,

neceſſary ſums raiſed as other pariſh ceſſes.

II. And be it enacted by the authority aforeſaid, that ſo much of the ſaid firſt mentioned act, as directs, that the ſums, to be raiſed in purſuance of the ſaid act, ſhall be aſſeſſed upon the inhabitants of the ſeveral houſes within ſuch cities reſpectively according to the miniſter's money payable out of ſuch houſes, may be repealed; and that ſuch ſums ſhall be aſſeſſed by the perſons and in the manner therein directed upon the inhabitants of the ſeveral houſes within ſuch cities reſpectively according to the value of ſuch houſes reſpectively.

11 & 12 *G.* 3. *c.* 15. *ſ.* 3. as to aſſeſſment by miniſter's money repealed,

ſums aſſeſſed on inhabitants by value of houſes.

III. And be it enacted by the authority aforeſaid, that if any pariſh ſhall refuſe or neglect to raiſe ſuch ſums, as ſhall be neceſſary

ceſſary for the purpoſes of this or the ſaid former act, it ſhall and may be lawful to and for the next going judges of aſſize, or one of them, upon complaint made to him or them by the pariſh miniſter or curate of ſuch pariſh, which complaint ſuch miniſter or curate is hereby required to make, of ſuch refuſal or neglect, to order ſuch ſum to be raiſed on ſuch pariſh, as he or they ſhall think fit, ſo as the ſame do not exceed the ſum of five pounds for each child, which ſhall be left expoſed and deſerted in ſuch pariſh, of the age of twelve months or under; and the ſums ſo directed to be raiſed ſhall be aſſeſſed and levied upon ſuch pariſh by the perſons, in the manner, and with the like remedies, as money preſented by grand juries to be raiſed; and the ſums ſo levied ſhall be paid to the miniſter or curate of ſuch pariſh, and by him applied to the purpoſes of the ſaid act; and the judge or judges of aſſize, to whom ſuch complaint ſhall be made, are hereby empowered and required to examine upon oath touching the matter of ſuch complaint.

On miniſter's complaint of pariſh's neglect ordered to be raiſed by judges of aſſize, not above 5l. each child, aſſeſſed and levied as preſentments, paid to the miniſter for purpoſes of ſaid act, ſuch complaint examined on oath.

IV. And be it enacted by the authority aforeſaid, that if any overſeer, appointed in purſuance of this or the ſaid former act, ſhall refuſe or neglect to execute the duty of the ſaid office, he ſhall forfeit for every ſuch offence the ſum of ten pounds, to be recovered by civil bill in the name of the miniſter or curate of ſuch pariſh, in which ſuch refuſal or neglect ſhall happen, with full coſts of ſuit; and the ſum ſo recovered ſhall be applied towards the maintenance and education of the deſerted children in ſuch pariſh.

Overſeer neglecting forfeits 10l. by civil bill in miniſter's name, with full coſt, applied for the children.

V. And whereas by an act paſſed in the laſt ſeſſion of parliament for preventing the ſpreading of fires, and for appointing watches in cities and towns corporate, it is enacted, that the ſums to be raiſed in purſuance of the ſaid act ſhall be aſſeſſed upon the occupiers of houſes within their reſpective pariſhes according to the rate, at which ſuch houſes are valued for the collection of miniſters money: and whereas ſuch valuation has been found inexpedient: be it therefore enacted by the authority aforeſaid, that ſo much of the ſaid act ſhall be repealed, and that ſuch ſums ſhall be aſſeſſed by the perſons and in the manner therein directed upon the occupiers of the ſeveral houſes within ſuch pariſhes reſpectively according to the value of ſuch houſes reſpectively.

11 & 12 *G.* 3. *c.* 14. as to aſſeſſment on occupiers by miniſter's money, repealed, aſſeſſed as by ſaid act by the value of houſes.

VI. And be it enacted by the authority aforeſaid, that if any of the ſaid pariſhes ſhall after the firſt day of June next neglect to make proviſion for the purpoſes in the ſaid ſecond act mentioned, ſo far as the ſame relates to providing fire engines, it ſhall and

On complaint of pariſh's neglect to provide engines, judges of aſſize may order 50l. to be raiſed,

A. D. 1773-4.

and may be lawful to and for the judges of aſſize, or one of them, upon complaint made to him or them of ſuch neglect, to order any ſum not exceeding the ſum of fifty pounds, to be raiſed upon the pariſh guilty of ſuch neglect; and the ſum ſo ordered to be raiſed ſhall be aſſeſſed and levied upon ſuch pariſh by the perſons, in the manner, and with like remedies, as money preſented by grand juries; and the ſums ſo raiſed ſhall be paid to the miniſter or curate of ſuch pariſh, and by him applied to the purpoſes of the ſaid ſecond act; and the judge or judges of aſſize, to whom ſuch complaint ſhall be made, are hereby empowered and required to examine upon oath touching the matter of ſuch complaint.

aſſeſſed and levied as preſentments, paid to miniſter for purpoſes of ſaid act,

complaint examined on oath.

VII. And be it enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced or proſecuted againſt any perſon or perſons for any thing, which ſhall be done in purſuance of this act, or of the two acts herein mentioned, the defendant or defendants may plead the general iſſue, and give the ſpecial matter in evidence; and this act ſhall be deemed a publick act, and judicially taken notice of as ſuch.

Defendants may plead general iſſue, &c.

a publick act.

CHAP. XXV.

An act for amending an act paſſed in the third year of the reign of his preſent Majeſty, intitled, An act for confirming the titles and for quieting the poſſeſſion of proteſtants, and for giving time to converts from popery to perform the requiſites of conformity preſcribed by the laws againſt popery.

Recital 3 G. 3. c 26.

WHEREAS by an act paſſed in the third year of the reign of his preſent Majeſty, entitled, *an act for confirming the titles and for quieting the poſſeſſion of proteſtants, and for giving time to converts from popery to perform the requiſites of conformity, preſcribed by the laws againſt popery*, it is enacted, that the title, poſſeſſion, eſtate, or intereſt of any proteſtant in or to any meſſuages, lands, tenements, or hereditaments in this kingdom, ſhall not be avoided or impeached by aid of the laws made in this kingdom to prevent the growth of popery, or by the aid of any of the ſaid laws, by means or colour of any right or pretended right, which accrued twenty years before the then ſeſſion of parliament, if no ſuit had been commenced or proſecuted within that time claiming ſuch right; and if ſome perſon or perſons of full age, of ſound memory, out of priſon, in this kingdom, and diſcovered, the right being in a woman, had been in being ſometime

to extend it againſt all ſuits of ſame nature not proſecuted in 20 years.

title of proteſtants not impeached under the popery laws, on any right accrued 20 years before 1ſt of this ſeſſion, if no ſuit in that time, and ſome perſon in being who might have ſued.

within twenty years before the firſt of the then ſeſſion of parliament, or before the commencement of twenty years before the firſt day of the then ſeſſion, who might have ſued for ſuch right: and whereas the ſaid law has had many ſalutary effects, and it is expedient to extend the benefit of the ſame in general againſt all claims of the ſame nature, not ſued for or proſecuted within twenty years: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the title, poſſeſſion, eſtate, or intereſt of any proteſtant in or to any lands, tenements, or hereditaments in this kingdom, ſhall not be avoided or impeached by the aid of the laws made in this kingdom to prevent the growth of popery, or by the aid of any of the ſaid laws, by means or by colour of any right or pretended right, which aroſe or accrued twenty years before the firſt day of the preſent ſeſſion of parliament, if no ſuit has been commenced or proſecuted within that time claiming ſuch right; and if ſome perſon or perſons of full age, and of ſound memory, and out of priſon, and in this kingdom, and diſcovert, (the right being in a woman) hath been in being ſome time within twenty years before the firſt day of the preſent ſeſſion of parliament, or before the commencement of twenty years before the firſt day of the preſent ſeſſion of parliament, who might have ſued for ſuch rght; nor by the aid of the ſaid laws, or any of them, by means or colour of any right or pretended right, which ſhall or may have ariſen or accrued twenty years before the commencement or proſecution of any ſuit claiming ſuch right, if ſome perſon or perſons as aforeſaid of full age, and of ſound memory, and out of priſon, and in this kingdom, and diſcovert, (the right being in a woman) ſhall have been in being at any time before the commencement or proſecution of ſuch ſuit, who might have ſued for ſuch right.

Not to defeat judgments, or decrees, or ſuit duly proceeded on, *revived and continued to 24 June 1790, &c. by 17 & 18 G. 3. c. 36. ſ. 10.*

II. Provided, that nothing herein contained ſhall bar, defeat, or prejudice any judgment or decree heretofore obtained by any perſon or perſons whatſoever in any court of law or equity, or any ſuit now depending, grounded on the popery laws, which hath been duly proceeded upon.

CHAP.

A. D. 1773-4.

CHAP. XXVI.

Amended 17 & 18 G. 3. c. 23. further inforced 19 & 20 G. 3. c. 50.

An act for enforcing a due execution of the laws relative to turnpike roads in this kingdom.

WHEREAS turnpike roads are become general in this kingdom, and it is of great moment to the inland commerce of and the intercourſe within this kingdom, that the laws heretofore made, and thoſe that ſhall hereafter be made, for the levying of tolls for the making and repairing thoſe roads, be duly and faithfully executed: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the treaſurers of the turnpike roads in this kingdom reſpectively ſhall on or before the firſt day of October one thouſand ſeven hundred and ſeventy four depoſite with the clerks of the peace of the counties reſpectively, through which the turnpike roads of this kingdom or any parts thereof are carried, full, true, and fair copies of all contracts made with the commiſſioners of the ſaid turnpike roads reſpectively, for making and repairing the ſaid roads reſpectively or any bridges on them, and all the orders made by the commiſſioners or a competent number of the commiſſioners of the turnpike roads of this kingdom reſpectively for any purpoſe or purpoſes whatſoever, any ways relative to the ſaid turnpike roads reſpectively, down to the ſaid firſt day of October one thouſand ſeven hundred and ſeventy four; and all ſuch contracts and orders as aforeſaid, to be made after that day, within one calendar month after the making of the ſame, and after the firſt of October one thouſand ſeven hundred and ſeventy four yearly and every year on every firſt day of October the full annual produce of the toll of the turnpike roads of this kingdom reſpectively, and the expences of collecting the ſame.

Turnpike treaſurers to depoſit with clerks of peace by 1ſt October 1774, copies of contracts with and orders by commiſſioners, and in one month after making,

and every 1ſt October yearly the full produce of the toll and expences of collecting

II. And be it further enacted by the authority aforeſaid, that every treaſurer of any turnpike board in this kingdom, who ſhall fail to comply with the ſaid orders hereby given, or with any of them, ſhall forfeit the ſum of twenty pounds for every calendar month, during which he ſhall fail after the times aforeſaid reſpectively to comply with the ſaid orders, or any of them; which ſaid penalty or penalties ſhall be ſued for by civil bill, levied, and recovered, as is directed, and by the ſame rules in all reſpects, given by the laws which have created that judicature in the caſes provided for by thoſe laws, in the name of the clerk of the crown of that county where the civil bill ought to be brought; and

Penalty 20l. per month,

by civil bill,

in crown clerk's name,

and in thoſe caſes where there ſhall be no treaſurer, or where the treaſurer ſhall be an abſconding or inſolvent perſon, the ſaid duties, hereby required to be performed by the treaſurer, ſhall be performed by the perſon or perſons reſpectively, who do or ſhall receive the tolls of the ſaid turnpike roads reſpectively or any part of the ſaid tolls from the gate-keepers, or immediate collectors of the ſaid tolls reſpectively; and if the ſaid duties being incumbent on the ſaid laſt mentioned perſons ſhall not be peformed by them as aforeſaid, the perſon or perſons, reſpectively receiving the ſaid tolls or any part of them as aforeſaid, may be ſued for and compelled to pay the ſaid penalty or penalties as aforeſaid; and the clerks of the crown of the counties in this kingdom reſpectively are hereby required upon the application of any perſon, who ſhall firſt depoſite with them reſpectively twenty ſhillings for every civil bill to be brought as aforeſaid to indemnify them reſpectively from the coſts of a diſmiſſal, ſhall permit ſuch ſuits as aforeſaid by civil bill to be carried on with effect in their names, and after a decree obtained ſhall ſee the ſaid penalties duly and effectually levied; and the ſaid penalties when levied ſhall be diſpoſed of in manner following, (that is to ſay) in the firſt place a ſum not exceeding forty ſhillings ſhall be deducted thereout for the coſts and expences of each ſuit by civil bill; and one tenth part of each penalty to the perſon who ſhall promote the ſaid ſuit; one other tenth part to the clerk of the crown for his trouble therein; one other tenth part to the clerk of the peace for his trouble; and the remainder of the ſaid penalties ſhall be given to the governors of the infirmary of that county, where the penalties ſhall be incurred, for the uſe of that infirmary; and the clerks of the peace are hereby required to preſerve all the ſaid papers and writings to be ſo depoſited with them carefully in their offices reſpectively, and to ſuffer them at all ſeaſonable and convenient hours to be inſpected during the time of the aſſizes and quarter ſeſſions of the counties of this kingdom reſpectively by every literate perſon, who ſhall deſire it, which the judges of aſſize and the juſtices of the quarter ſeſſions reſpectively are hereby authorized and required upon complaint to enforce a due compliance with, and to order in all caſes of neglect thoſe offences to be proceeded againſt as for a failure in the performance of the duties of their offices reſpectively.

where no treaſurer, or inſolvent, performed by receivers of tolls from gate keepers,

ſued as aforeſaid,

crown clerk, on depoſit of 20s. to indemnify on diſmiſs, ſhall permit ſuit, and inforce penalty,

ſaid penalty diſpoſed of,

40s. for coſts,

1-10th to proſecutor,

10th to crown clerk

and clerk of peace,

remainder to the infirmary,

clerks of peace to preſerve all ſaid papers, and permit inſpection at aſſizes and ſeſſions,

inforced on complaint.

III. And be it further enacted by the authority aforeſaid, that no turnpike commiſſioner ſhall ſign any order for paying, nor ſhall any treaſurer of any turnpike board, pay any ſum to any perſon whatſoever for making or repairing any turnpike road, or any part

No payment, or order for it, for turnpike or bridge till affidavit before 2 juſtices by the perſons principally employed,

part of any turnpike road, or for making or repairing any bridge or any turnpike road in this kingdom, till the perſon ſo applying ſhall firſt produce to ſuch commiſſioners and treaſurers, or other perſon or perſons receiving the tolls as aforeſaid reſpectively, * on affidavit ſworn by the perſon or perſons, who have or hath been principally employed in making or repairing ſuch road or bridge, before two juſtices of the peace for the county where the road or bridge, in reſpect of which the application ſhall be made, ſhall be of the following tenor.

the affidavit.

I do ſwear, that I have been principally employed in making or repairing (as the caſe ſhall happen) perches of the turnpike road of lying from in the county of (or as the caſe ſhall happen) the bridge of made on the turnpike road of in the county of being the part of the ſaid road, or the bridge on the ſaid road, (as the caſe ſhall happen) which hath contracted or been employed to make or repair; and that the ſaid road or bridge is well, effectually, and durably made and repaired according to the ſaid his contract, or the terms on which he was employed; which I have peruſed and read; and that I have lodged a duplicate of this affidavit with the clerk of the peace of the county of

Duplicate kept by peace clerk,

Which duplicates the clerks of the peace of the counties of this kingdom reſpectively are hereby required to keep and preſerve diligently amongſt the records of that county, and to ſuffer them to be read and inſpected by every literate perſon, who ſhall deſire it, during the aſſizes and quarter ſeſſions to be held for the county,

inſpection permitted at aſſizes or ſeſſions,

on pain of ſuch cenſure and puniſhment as publick officers neglecting the duties of their office are by law ſubject to; and the judges of aſſize and juſtices of the peace at the quarter ſeſſions are hereby authorized and required in caſe of neglect or failure herein to order thoſe offences to be proceeded againſt accordingly.

neglect of duty puniſhed.

if order ſigned, or payment made, before ſuch affidavit produced, an equal ſum forfeited,

IV. And be it enacted by the authority aforeſaid, that the commiſſioners of any turnpike road in this kingdom, who, before ſuch affidavit as aforeſaid ſhall be produced to them, ſhall ſign or make any order for paying any money for making or repairing any turnpike road or any part of any turnpike road in this kingdom, or for making or repairing any bridge upon any turnpike road in this kingdom, and the treaſurer or other perſon who ſhall receive the tolls as aforeſaid, who ſhall make the ſaid payments, or any of them, ſhall forfeit a ſum equal to the ſum, that ſhall be ſo ordered to be paid; to be ſued for, recovered, levied, and diſpoſed of as the penalties aforeſaid are herein before directed to be.

levied and diſpoſed as ſaid penalties.

Executors, &c. bound to make or repair roads, and perform contract, as the firſt undertakers were.

V. And be it enacted by the authority aforeſaid, that the executors, adminiſtrators, and aſſigns of all perſons, who have had or who ſhall have any debenture, mortgage, or aſſignment of the tolls, or of any part of the tolls of any turnpike road in this kingdom for making or repairing any turnpike road or any part of any turnpike road in this kingdom, or for making or repairing any bridge on any turnpike road in this kingdom, or for performing any contract relative to any turnpike road in this kingdom, ſhall, as far as the value of ſuch debenture, mortgage, or aſſignment extends, be as much bound to make and repair ſuch road or bridge, and to perform every ſuch contract, as the perſon or perſons were, who firſt undertook to make or repair ſuch road or bridge, or to perform ſuch contract.

Affidavit as in a cauſe made by perſon alledging embezzlement of tolls or breach of contract,

ſtating particularly the charges,

no malice or ill will,

nor to favour defendant,

relator worth 200l. or ready to give ſecurity,

order in chancery or exchequer to anſwer affidavit,

complaint diſmiſſed with coſts, or information ordered,

VI. And be it enacted by the authority aforeſaid, that in all caſes where it ſhall be alledged, that any turnpike commiſſioners or commiſſioner or any other perſon have or hath miſapplied, waſted, or embezzled the tolls or any part of the tolls of any turnpike road in this kingdom, or broke or not performed any agreement or contract relative thereto, the perſon ſo alledging ſhall make or cauſe to be made one or more affidavits, as if in a cauſe depending in the court of chancery or court of exchequer between the King's attorney general at the relation of the perſon ſo alledging plaintiff and the perſon or perſons ſo complained againſt defendant or defendants, ſtating the charges of ſuch miſapplication, waſting, or embezzlement, or breach or nonperformance of ſuch agreement or contract againſt the perſon or perſons complained againſt particularly, and that the relator is not prompted to the proceeding by malice or ill will to any perſon whatſoever, and that the proceeding has not been meditated or contrived to favour or protect the defendant or defendants againſt a more adverſary or againſt any other proceeding, and that the relator is worth two hundred pounds above all his juſt debts, or that he is ready and willing to give ſuch ſecurity to be anſwerable for coſts, as the court ſhall think reaſonable; and upon the filing of every ſuch affidavit the king's attorney general is hereby required to permit a motion to be made in his name to the court of chancery or court of exchequer for an order, that the perſon or perſons complained againſt ſhall anſwer the affidavit or affidavits ſo to be made; and upon the coming in of ſuch anſwer the court ſhall or may according to the juſtice of the caſe either diſmiſs the complaint with coſts, or order that a bill or information ſhall be filed in the name of the attorney general at the relation of the party complaining againſt the perſon or perſons complained againſt,

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againſt, and that he or they ſhall in due time anſwer the information or bill; and the court ſhall proceed in the moſt ſummary courſe as in poſſeſſary cauſes, and order an examination of witneſſes, and hear the cauſe, and make ſuch decree therein, as ſhall be agreeable to the rules of equity and juſtice; and for that purpoſe ſhall direct all proper enquiries, and award coſts at the diſcretion of the court to or againſt the relator; and at any ſtage of the cauſe order the relator, if the court ſhall think it juſt, to give ſecurity to anſwer for coſts, if the bill or information ſhall be diſmiſſed, with a reciprocal right of appeal to the parties; and if in any caſe it ſhall appear, that the relator has entered into a colluſion with the perſon or perſons complained againſt or ſhall to favour the perſon or perſons complained againſt forbear to proſecute his ſuit, the court ſhall and may, and are hereby required to, order the cauſe to be carried on by any other perſon, who ſhall lend his name for that purpoſe, in the relator's name, entering into a reaſonable ſecurity to indemnify the relator from coſts; and the relator in every ſuch caſe ſhall be decreed to one fourth of the ſum recovered, and to the coſts expended in carrying on the ſuit; and the reſidue of the ſum recovered ſhall be applied to the performance of the broken or not performed contract, or to the making or repairing the neglected road or bridge (as the caſe ſhall happen) and the court ſhall give proper and neceſſary orders for thoſe purpoſes.

ſummary proceeding as in poſſeſſary cauſes,
decree,
coſts at diſcretion,
ſecurity by relator at any ſtage of the cauſe,
appeal to either,
if colluſion with defendant ordered to be carried on by any other lending his name,
ſecurity for coſts,
relator decreed to 1-4th and coſts,
reſidue to the road, bridge, &c.

VII. Provided always, and be it enacted by the authority aforeſaid, that no ſuit grounded on this act ſhall be commenced (except in the caſe of ſuch contractors as aforeſaid) for any miſapplication or imbezzlement of ſuch tolls as aforeſaid, unleſs ſuch complaint as aforeſaid ſhall be made within four years after ſuch miſapplication or embezzlement; nor againſt the executor or adminiſtrator of any perſon charged with ſuch miſapplication or embezzlement (except as aforeſaid) unleſs a ſuit ſhall have been commenced againſt the perſon, whom ſuch executors or adminiſtrators ſhall repreſent, in the life time of ſuch perſon.

No ſuit for embezzlement, unleſs complaint in 4 years,
nor againſt repreſentatives, unleſs commenced in party's life.

VIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the grand juries of the counties in this kingdom reſpectively at the ſummer aſſizes to preſent any ſum not exceeding three pounds a year to the clerk of the peace of each county for doing the duties herein required, to be levied as other county taxes, if it ſhall appear to them, that thoſe duties have been faithfully performed, but not otherwiſe; which preſentments may be traverſed and tried in the ordinary courſe.

Preſentment at ſummer aſſizes, not above 3l. a year for clerk of peace, if duty performed,
may be traverſed and tried.

IX. And

IX. And be it further enacted by the authority aforeſaid, that the treaſurer of every turnpike road in this kingdom, or other perſon or perſons receiving the tolls or any part of the tolls of any turnpike road in this kingdom from the collectors or collector of thoſe tolls, ſhall on or before the firſt day of October one thouſand ſeven hundred and ſeventy four draw up an account of the tolls received by ſuch perſon or perſons from the time of the laſt account ſtated by ſuch perſon or perſons, his or their predeceſſor or predeceſſors, with the turnpike board of that road, and ſtate fully and particularly how the tolls ſo received from the time of ſuch laſt account have been applied, paid, or diſpoſed of, and to whom, and ſhall ſign ſuch account in the preſence of two or more literate perſons, who ſhall ſubſcribe the ſame as witneſſes, and ſhall depoſite the ſame with the clerk of the peace of thoſe counties reſpectively, through which ſuch turnpike road doth run, on or before the firſt day of October one thouſand ſeven hundred and ſeventy four; and every ſuch treaſurer and other perſon ſhall yearly and every year hereafter draw up and lodge an account, ſuch as herein before is directed in all reſpects, with the ſame clerks of the peace reſpectively, on pain of forfeiting twenty pounds for every callendar month during which ſuch perſon or perſons ſhall neglect or fail to comply with the ſaid laſt mentioned duties hereby enjoined: and if in ſuch accounts, or any of them, any wilful overcharge ſhall be made, or wilful error committed, every perſon, guilty of ſuch overcharge or error, ſhall for every ſuch offence forfeit a ſum equal to the amount of the ſum twice told or reckoned, that the publick ſhall be attempted to be defrauded of by ſuch wilful overcharge or error; which ſaid penalties herein laſt ſpecified ſhall be ſued for, levied, and diſtributed in all reſpects, as the other penalties herein before ſpecified are directed to be; and the clerks of the peace of the reſpective counties of this kingdom reſpectively are hereby required to preſerve all ſuch accounts, and to permit the ſame to be inſpected in all reſpects, as the other papers herein before directed to be preſerved and inſpected are directed to be; and in this laſt particular the clerks of the peace of this kingdom reſpectively are to be under the ſame controul as in the other inſtances herein before mentioned.

Treaſurer or receiver of tolls ſhall yearly draw up an account of toll received and how applied, ſigned, witneſſed by 2 literate, and depoſited with the clerk,

penalty 20l. *per* month for wilful overcharge or error double the ſum forfeited,

as the other penalties,

clerks to preſerve ſuch accounts, and permit inſpection, under like controul.

X. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and ſhall be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

A publick act.

A. D. 1773-4.

CHAP. XXVII.

An act to amend an act paſſed in the eighth year of his preſent Majeſty, entitled, An act for erecting new chapels of eaſe in the pariſh of Armagh, and making ſuch chapels, and thoſe that are already erected in ſaid pariſh, perpetual cures; and for making a proper proviſion for the maintenance of perpetual curates to officiate in the ſame; and for other purpoſes.

2 Anne, c. 10. ſ. 3.

WHEREAS by an act paſſed in this kingdom in the ſecond year of the reign of her late Majeſty Queen Anne, entitled, *An act for the exchange of glebes belonging to the churches in this kingdom*, it is among other things enacted, that ſaid lands ſo given in exchange for ſuch glebes, or any part thereof ſo exchanged, ſhall be held and enjoyed by ſuch rectors, and vicars, and their ſucceſſors for ever, as glebe, notwithſtanding the ſame did formerly belong to any archbiſhop, biſhop, tenant for life or in tail, with the conſent of the perſon immediately next in remainder: and whereas it hath been found expenſive, and inconvenient, and impoſſible in many caſes to obtain ſuch conſent: therefore for the better and more ſpeedy execution of the good purpoſes of ſaid in part recited act, relative to exchange of glebes belonging to churches in this kingdom, be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for every perſon or perſons, being ſeized of an eſtate tail in poſſeſſion in any lands, by his or their deed or deeds under his or their hands and ſeals to exchange ſuch lands or any part thereof as a glebe for the incumbent or miniſter of any pariſh having actual cure of ſouls, or for a demeſne for a maſter of any free ſchool, in ſuch manner and to ſuch effect, as perſons ſeized of an eſtate tail in poſſeſſion of any lands are enabled to grant ſuch lands, as a glebe for the incumbent of any pariſh having actual cure of ſouls by an act, that paſſed in the firſt year of his late Majeſty King George the ſecond, entitled, *An act for rendering more effectual an act, entitled, An act for the better enabling of the clergy having cure of ſouls to reſide upon their reſpective benefices, and for the encouragement of proteſtant ſchools within this kingdom of Ireland*, and under ſuch reſtrictions as he or they might have done by virtue of ſaid in part recited act, which paſſed in the ſecond year of her late Majeſty Queen Ann, or any other act now in force in this kingdom.

difficult to obtain remainder man's conſent to exchange of glebe purſuant thereto,

tenant tail, in poſſeſſion may by deed exchange lands as a glebe or ſchool demeſne as enabled to grant by 1 G. 2. c. 15.

under reſtrictions as by 2 Anne, c. 10. or any other act.

Rectors, &c. or ſchool maſters may by deed exchange with bodies corporate diſtant glebe or demeſne for convenient lands of equal value, as by 2 Anne, c. 10.

II. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſeveral rectors, vicars, and other perſons having any cure of ſouls in this kingdom, or for the maſter of any free ſchool, by deed or deeds to exchange ſuch glebes or demeſnes as lie at a diſtance from the pariſh church or free ſchool, or any part of ſuch glebes and demeſnes, with any lay corporation, or body corporate or politick, for lands of equal value, worth, and purchaſe, lying near and convenient to the ſaid church or ſchool, in ſuch manner and form as by the act made in the ſecond year of her late Majeſty Queen Anne, entitled, *An act for the exchange of glebes belonging to churches*, is directed.

Corporations may by deed inrolled in 6 months endow with new glebe, not exceeding 40 acres, where none, or not above 10, inrollment 13s. 4d.

III. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any lay corporation, or body corporate or politick, by proper deed or deeds in writing under their corporation ſeal, and inrolled within ſix months in the rolls office of his Majeſty's high court of chancery in this kingdom, and for which inrollment the ſum of thirteen ſhillings and four pence, and no more, ſhall be paid over and above the expences uſually paid to the engroſſing clerk for the ſame, to endow any church, chapelry, or perpetual curacy, appropriate or impropriate, having no glebes or not above ten acres of glebe, with a new glebe; provided the ſaid new glebe of any one church, chapelry, or perpetual curacy as aforeſaid, which ſhall be ſo endowed as aforeſaid, ſhall not exceed forty acres at the moſt; and ſaid lands, ſo granted by ſuch endowment as aforeſaid, ſhall be conſidered as glebe lands to and for all the intents, purpoſes, and advantages of the ſeveral ſtatutes now in force in this kingdom for the encouragement of building and improving upon glebe or church lands.

conſidered as glebe lands within the ſtatutes for encouragement.

Recital 11 & 12 G. 3. c. 16. ſ. 9. for making cures perpetual with conſent,

IV. And whereas by an act made in this kingdom in the eleventh and twelfth of his preſent Majeſty King George the third, entitled, *An act for erecting parochial chapels of eaſe in pariſhes of large extent, and making ſuch chapels and thoſe that are already erected perpetual cures, and for making a proper proviſion for the maintenance of perpetual curates to officiate in the ſame, and alſo in like manner for making appropriate pariſhes perpetual cures*, it is among other things enacted, that ſuch appropriate cures, as in ſaid act are mentioned, ſhall be hereafter deemed perpetual cures with the conſent of the archbiſhop, biſhop of the dioceſe, the dean and chapter of ſaid dioceſe, and of the dignitary to whoſe dignity ſuch pariſh or pariſhes are appropriated, teſtified in writing under their hands and ſeals, from the time ſuch writing

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ing is entered in the regiſtry of the dioceſe, and in the regiſtry of the metropolitical court of the province: and whereas there is ſome room to doubt from the words of ſaid act before recited, whether the conſent of the biſhop of the dioceſe ſingly is ſufficient in ſuch caſes: therefore in order to remove ſaid doubt, and for the better explanation of ſaid ſtatute, be it enacted by the authority aforeſaid, that no pariſh with cure of ſouls, appropriate or annexed to any dignity or part of the corps thereof, ſhall hereafter be charged, or made a perpetual cure, purſuant to ſaid act, without the expreſs conſent of the archbiſhop of the province, where ſuch pariſh lies, firſt had in writing under his hand and ſeal, and regiſtered in the dioceſan and metropolitical regiſtry of ſaid province.

doubt whether conſent of biſhop ſingly ſufficient, no appropriate cure made perpetual as by ſaid act without archbiſhops, conſent under hand and ſeal regiſtered.

V. And whereas in the laſt in part recited act it is enacted, that it ſhall and may be lawful for the chief governor or governors of this kingdom for the time being with the aſſent and conſent of ſuch perſons, as are mentioned in the act of the ſecond year of King George the firſt, intitled, *An act for the real union and diviſion of pariſhes*, to unite appropriate pariſhes, and to diſappropriate appropriate pariſhes, or part of ſuch pariſhes, and to unite ſuch diſappropriated pariſhes or part of ſuch pariſhes to another pariſh, and to erect ſuch divided and united pariſhes into new pariſhes, with all parochial rights: be it further enacted by the authority aforeſaid, that no diſappropriation of appropriated pariſhes in the manner above mentioned ſhall or may be made in any dioceſe without the conſent of the dean and chapter under their corporate ſeal, two thirds at leaſt of the members of ſaid chapter being preſent and conſenting.

No diſappropriation with conſent as by 2 *G.* 1. *c.* 14. ſhall be made as by 11 & 12 *G.* 3. *c.* 16. *ſ.* 13 without conſent of dean and chapter under ſeal, 2-3ds preſent.

VI. And whereas by an act made in the eleventh and twelfth of his preſent Majeſty, King George the third, entitled, *An act for rendering more effectual the ſeveral laws for the better enabling the clergy having cure of ſouls to reſide upon their benefices, and to build on their reſpective glebe lands, and to prevent dilapidations, and for the encouragement of proteſtant ſchools within this kingdom of Ireland*, it is among other things enacted, that in all caſes where any archbiſhop, biſhop, or other eccleſiaſtical perſon ſhall from and after the paſſing of ſaid act obtain a certificate for erecting new buildings or for making other neceſſary improvements on a new ſite within his demeſne, glebe, or menſal lands, in ſuch manner as is by ſaid in part recited act directed, ſuch archbiſhop, biſhop, or other eccleſiaſtical perſon, his executors or adminiſtors reſpectively, ſhall from his next and immediate ſucceſſor inſtead of three fourths of ſuch ſum have and receive the full

11 & 12 *G.* 3. *c.* 17. *ſ.* 3.

ſum

ſum comprized and ſpecified in ſuch certificate; provided that ſuch ſum ſhall not exceed the clear value of two years income: and whereas it hath been doubted, whether perſons, who ſhall build or make improvements or have ſo built or made improvements upon the demeſne, glebe, or menſal lands, ſhall be intitled to ſaid ſum not exceeding the clear value of two years income, although they have not compleated or finiſhed their ſaid buildings and improvements ſo as to make them fit and proper for the reſidence of themſelves and their ſucceſſors: now for the removal of ſaid doubt, and the better explanation of ſaid act, be it enacted by the authority aforeſaid, that the archbiſhops, biſhops, and other eccleſiaſtical perſons, and all maſters of free-ſchools, who have at any time heretofore or ſhall hereafter ſo build and make improvements upon their demeſne, glebe, or menſal lands, ſhall not be entitled to a certificate for a ſum not exceeding the clear value of two years income of ſuch archbiſhoprick, biſhoprick, eccleſiaſtical benefice, or of ſuch free ſchools, except they ſhall have previous thereto reſpectively compleated and finiſhed their ſaid reſpective buildings and improvements agreeable to memorials approved of for that purpoſe, and made them fit and proper for the reſidence of themſelves and their ſucceſſors, but ſhall receive three fourths only for ſo much of the ſame, as ſhall be expended on ſaid buildings and improvements before the death or removal of the ſaid archbiſhops, biſhops, ſchool maſters, and other eccleſiaſtical perſons, in like manner as directed by the twelfth of George the firſt, entitled, *An act to amend and explain an act, entitled, An act to encourage building of houſes, and making other improvements on church lands, and to prevent dilapidations.*

doubt thereon,

biſhops, eccleſiaſticks, and ſchool-maſters, improving on glebe, menſal, or demeſne, not intitled to certificate for 2 years income, unleſs compleated and fit for reſidence, as by approved memorials,

but only for 3-4ths of ſum expended as by 12 *G.* 1. *c.* 10.

VII. And be it enacted by the authority aforeſaid, that the maſters of the ſeveral free ſchools, who are now entitled to three fourths of the ſums expended by them in erecting buildings and making improvements upon their demeſne or menſal lands by virtue of the ſtatute of the firſt of his late Majeſty King George the ſecond, entitled, *An act for rendering more effectual an act, intitled, An act for the better enabling the clergy having cure of ſouls to reſide upon their reſpective benefices, and for the encouragement of proteſtant ſchools within this kingdom of Ireland*, ſhall for the future be included and comprized in the act of his preſent Majeſty King George the third, entitled, *An act for rendering more effectual the ſeveral laws for the better enabling the clergy having cure of ſouls to reſide upon their benefices, and to build on their reſpective glebe lands, and to prevent dilapidations, and for the encouragement*

Schoolmaſters, now intitled to 3-4ths of improvements by 1 *G.* 2. *c.* 15. ſhall be included in 11 & 12 *G.* 3. *c.* 17.

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ragement of proteſtant ſchools within this kingdom of Ireland, and to all the benefits and advantages of ſaid act, and ſhall be entitled unto and have a certificate for a ſum not exceeding two years income of the clear yearly income of ſaid ſchool; in which clear yearly income the ſeveral fines received and expended upon ſaid buildings and improvements ſhall not be included; provided ſuch buildings and improvements ſhall be made under the ſame appointments, reſtrictions, and limitations, as required by the ſaid act of the firſt of his late Majeſty before mentioned, and upon new ſcites, to be approved of by the archbiſhop of Armagh for the time being under his hand and archiepiſcopal ſeal, and ſhall be compleated and finiſhed ſo as to be fit and proper for the reſidence of the maſter of ſuch ſchool and his ſucceſſors.

and have certificate for 2 years income, fines not included, if made as by 1 *G.* 2. *c.* 15. on new ſcites, approved by primate under ſeal, and compleated.

CHAP. XXVIII.

An act for amending and continuing an act paſſed in the third year of his preſent Majeſty, entitled, an act for the more effectual amending and repairing the road leading from the city of Dublin to the bridge of Dunleer, and for the better ſecuring the debts due or to grow due to the creditors of the ſaid road.

Recital 3 *G.* 3. *c.* 30.

WHEREAS an act was paſſed in the third year of his preſent Majeſty, entitled, *An act for the more effectual amending and repairing the road leading from the city of Dublin to the bridge of Dunleer, and for the better ſecuring the debts due or to grow due to the creditors of the ſaid road:* and whereas ſeveral years of the term of forty one years, for which the ſaid act was to continue, are ſince elapſed, and it is reaſonable, that the ſaid term ſhould be renewed for the better ſecuring the debts, which are owing to the ſaid creditors of ſaid road: and whereas the making the new line between the ſeven mile ſtone and the ſign of the car and horſe on the hill of Clonard on ſaid road, mentioned in ſaid act, by which it was propoſed to carry ſaid road to the weſtward of its preſent courſe, from the difficulty and expence which, it has been found, would attend the ſame, has not been attempted; but the ſaid road might be greatly improved by other lines not ſo difficult or expenſive to make: and whereas ſeveral parts of the ſaid road between the fourteenth and eighteenth mile ſtones are extremely crooked, hilly, and inconvenient to travellers, and a road can be made much more level and convenient to travellers and the publick between ſaid mile ſtones by a line to the eaſtward of the preſent road: therefore be it enacted by the

King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful to and for the truſtees of ſaid turnpike road, or any thirty one or more of them, in caſe they ſhall be enabled thereto by the tolls of the ſaid road, and that the ſame ſhall appear to them to be an improvement to the ſaid road and an advantage to the publick and travellers, to lay out any new line or lines to the eaſtward of the preſent road between the fourteenth and eighteenth mile ſtones, which, they may judge, will beſt anſwer the purpoſe aforeſaid, to be thirty feet wide in the clear; and to aſcertain the grounds through which the ſame ſhall paſs, with ſuch exceptions and reſtrictions however to prevent ſuch new road from doing a real injury to any perſon, and with ſuch proviſoes and clauſes for ſecuring to the owners of any grounds, through which ſuch new road ſhall be carried, a ſatisfaction and recompence proportioned to any loſs they may ſuſtain thereby, as are contained in ſaid act of the third of his preſent Majeſty relative to the new road or line in ſaid act mentioned, and intended to have been made between the ſaid ſeven mile ſtone and the ſaid ſign of the car and horſe.

31 truſtees may lay out new lines between 14 & 18th ſtones 30 feet clear,

aſcertain the grounds and recompence, as by ſaid act.

II. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any thirty one or more of them, where they ſhall find any part of ſaid old road by means of ſaid intended new road become uſeleſs and unneceſſary, may order ſuch part of ſaid old road to be ſtopped up as ſoon as ſuch new road ſhall be finiſhed and opened for the uſe of the publick; and where the inheritance of the ground of ſuch part of the ſaid old road to be ſtopped up, and of the new road to be opened, belong to the ſame perſon, to give up ſuch part of the ſaid old road in lieu and exchange for the new part, with ſuch other ſatisfaction as may be thought reaſonable by ſaid truſtees, or any thirty one or more of them

Stop up the old road,

or where belonging to ſame perſon, exchange for the new.

III. And be it enacted by the authority aforeſaid, that the ſaid act, with ſuch alterations as are made therein by this preſent act, and alſo this preſent act, ſhall be and continue in force for the term of forty one years from the firſt day of May one thouſand ſeven hundred and ſeventy four, and from thence unto the end of the then next ſeſſion of parliament.

3. *G.* 3. *c.* 30. and this act continued 41 years, &c. from 1 May 1774.

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CHAP. XXIX.

An act for amending and repairing the road leading from the city of Cork to the brook which bounds the counties of Cork and Tipperary near the foot of Killworth mountain, and from thence to the road leading from the town of Clonmell in the county of Tipperary through the towns of Clogheen, Mitchelſtown, and to Doneraile in the county of Cork, and for making additional truſtees for the turnpike road between Kilkenny and Callan.

Amended by 19 & 20 G. 3. c. 49.

WHEREAS the highways or roads leading from the city of Cork to the brook, which bounds the counties of Cork and Tipperary near the foot of Killworth mountain, and from thence to the road leading from the town of Clonmell in the county of Tipperary through the towns of Clogheen, Mitchelſtown, and to Doneraile in the county of Cork, are ſtill ruinous and bad, notwithſtanding the ſeveral proviſions made by and in an act made in the ſeventh year of his late Majeſty King George the ſecond, entitled, *An act for making more effectual an act paſſed in the fifth year of the reign of his then preſent Majeſty King George the ſecond*, entitled, *an act for repairing the road leading from the city of Cork to the brook which bounds the counties of Cork and Tipperary near the foot of Killworth mountain, and for other purpoſes herein mentioned:* and whereas the aforeſaid highways and roads cannot be effectually amended and kept in good repair, and the purpoſe and intent of the ſaid act fulfilled, without ſome further proviſion be made for that purpoſe, therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid act made in the ſeventh year of his late Majeſty King George the ſecond, and all and every the clauſes therein contained, or thereby continued, altered, or amended, except what are hereby altered or amended, ſhall be of full force and effect, and ſhall continue and be executed, from the twenty fifth day of March in the year of our Lord one thouſand ſeven hundred and ſeventy four for and during the term of thirty one years, and from thence to the end of the then next ſeſſion of parliament, for the intents and purpoſes in the ſaid act and the act therein recited, and herein after mentioned, as if the ſame powers and authorities granted and given by the ſaid act and the ſaid act therein mentioned were herein again repeated and re-enacted in the body of this preſent

7 G. 2. c. 20. ſave as altered, continued 31 years, &c from 25 March, 1774, for purpoſes of ſaid act and of the act therein recited.

preſent act; any thing in the ſaid former act contained to the contrary notwithſtanding.

Truſtees named,

II. And be it enacted by the authority aforeſaid, that the perſons herein after named, and none other, be the truſtees for putting the ſaid act and this preſent act in execution; and that on the death of the herein named truſtees, or their refuſing to act in ſaid truſt by writing under their hands and ſeals, that then it ſhall and may be lawful for the ſaid truſtees, or any ſeven or more of them during ſaid former and this preſent act to elect in the room of ſuch perſon or perſons ſo deceaſed or refuſing, and ſo on from time to time, one or more fit and able perſon or perſons to be joined with the ſurviving truſtees in the execution of this and the aforeſaid act, ſo as that the whole number of ſaid truſtees ſhall amount to fifty, and no more, that is to ſay, his grace the duke of Devonſhire, the right honourable Richard earl of Shannon, William earl of Inchiquin, John James earl of Egmont, Edmond earl of Cork and Orrery, Edward earl of Kingſton, George lord viſcount Middleton, John lord viſcount Clanwilliam, Stephen lord viſcount Mountcaſhell, John lord baron Liſle, John lord baron Kingſale, lord Kingſborough, ſir Robert Tilſon Deane, baronet, Joſeph Deane eſquire, Richard Townſhend, John Hyde, right honourable John Hely Hutchinſon, William Brabazon Ponſonby eſquire, Denham Jephſon ſenior, eſquire, Denham Jephſon junior, eſquire, honourable Joſeph Lyſaght, honourable James Lyſaght, Nicholas Lyſaght eſquire, Richard Longfield eſquire, Riggs Falkner, eſquire, Attiwell Wood eſquire, Abraham Devonſhire eſquire, James Denis eſquire, ſir John Conway Colthurſt, baronet, James Kearney eſquire, Sent Leger Sent Leger eſquire, Richard Aldworth eſquire, Thomas Adderley eſquire, ſaint John Jefferys eſquire, Edward Broderick eſquire, William Tonſon eſquire, James Bernard eſquire, honourable Colville Moore, honourable Robert Moore, honourable William Moore, Arthur Hyde eſquire, Henry Cole Bowen eſquire, Boyle Aylworth eſquire, Peter Carey eſquire, Mathias Henley eſquire, Walter Atkins eſquire, reverend Mr. Stopford, Henry Peard eſquire, Henry Mitchel eſquire, Samuel Hoare, Chriſtopher Hendley eſquire, Edmond Roche eſquire, ſir James Lawrence Cotter, baronet, reverend Richard Purcel, reverend Charles Perceval, George Bowles eſquire, Walter Croker eſquire, reverend Stephen Belleſton, Richard Aldworth junior, eſquire, Chicheſter Saint Leger eſquire, Weſtrope Watkins eſquire, Nicholas Green Evans eſquire, William Love eſquire, Badham Thornhill eſquire, reverend Edward Delany,

7 may act,

elect others on vacancy,

50 in number.

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Delany, reverend Croneter Donden, Thomas Moore eſquire, honourable John Lyſaght, Maurice Copinger eſquire, William Anderſon eſquire, Taylor Croker eſquire, Mr. John Boyle Mr. Thomas Andrews, and Mr. John Henneſy.

A board monthly,

III. And be it enacted by the authority aforeſaid, that after the paſſing of this act, a meeting or board of the ſaid truſtees, or any ſeven or more of them, ſhall be held the firſt Monday in every month at leaſt; the firſt meeting or board purſuant to this act to be at ſome convenient place in the city of Cork, of which the treaſurer or receiver ſhall give due notice; and the ſaid truſtees ſhall adjourn themſelves, and afterwards meet there or at any other place or places on or near the ſaid highways or roads to be repaired, as the ſaid truſtees or any ſeven of them ſhall think convenient; and if it ſhall happen, that there ſhall not appear at any meeting or board, which ſhall be appointed to be had or held by the ſaid truſtees or in purſuance of this act a ſufficient number of truſtees to act at ſuch meeting, and to adjourn to any other day, then and in ſuch caſe the receiver or treaſurer to the ſaid truſtees ſhall appoint the ſaid truſtees to meet at the houſe, where the meeting of the ſaid truſtees was laſt appointed to be had, or at ſome other convenient houſe on or near the ſaid roads on that day fortnight, upon which ſuch laſt meeting or board was appointed to have been held, of which ſuch receiver or treaſurer is hereby required to give due notice.

if number not ſufficient, treaſurer to appoint meeting on that day fortnight on notice.

Erect turnpikes,

IV. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall and may erect or cauſe to be erected ſuch other or more gate or gates, turnpike or turnpikes, and tol-lhouſe or toll-houſes, and in ſuch places upon or adjoining to ſaid roads, as they ſhall think proper or convenient: provided that no ſuch gate, turnpike, or toll houſe be erected nearer unto the city of Cork than the ſtone called the one mile ſtone.

not nearer than one mile ſtone to *Cork*.

Leaſe tolls and contract for repair,

not above 2 years.

V. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall have power to make leaſes from time to time of the ſaid tolls of ſaid roads or any part thereof for any term not exceeding two years; and alſo to contract with any perſon or perſons for the repair of the ſaid roads or any part thereof for any term not exceeding two years; and that all leaſes and contracts hereafter to be made for any longer term than two years from the time of making thereof ſhall and are hereby declared to be void to all intents and purpoſes whatſoever.

VI. And

VI. And be it enacted by the authority aforeſaid, that every perſon, who ſhall hereafter during the continuance of this and the ſaid former acts take or contract for the ſaid tolls, or any of them, ſhall at the time he ſhall ſo take or contract for the ſame, perfect bonds and warrants to the treaſurer payable quarterly each after each for the ſame to be drawn, filled, or approved of by the law agent of the board; and ſhall at the ſame time procure one or more ſolvent and reſponſible perſon or perſons to join him as ſurety therein, if the ſaid truſtees or any ſeven or more of them ſhall think fit to require the ſame; and upon the nonpayment of the ſaid bonds, as the ſame ſhall reſpectively become due, the ſame ſhall carry legal intereſt until paid.

Security by contractors payable quarterly, approved by law agent of the board, legal intereſt on non payment.

VII. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, by writing under their hands and ſeals ſhall and may at any of their meetings nominate and appoint a law agent or attorney for the purpoſe of tranſacting all the law buſineſs of the board; and the ſaid truſtees, or any ſeven or more of them, ſhall and may at any of their meetings order the treaſurer to pay the ſaid law agent or attorney from time to time his bills of coſt, whoſe receipt for the ſame ſhall be a ſufficient voucher for the ſaid treaſurer on his account with the board.

Appoint law agent, whoſe coſts paid by treaſurer.

VIII. And be it enacted by the authority aforeſaid, that no perſon or perſons, who ſhall after the twenty fifth day of March one thouſand ſeven hundred and ſeventy four take or contract for or be in any wiſe concerned in the taking or contracting for the tolls of ſaid roads, or any part thereof, ſhall in his or their own name or the name or names of any other perſon or perſons undertake, agree, or contract for the repair of ſaid roads, or any part thereof; and any perſon or perſons who ſhall from the ſaid time undertake, agree, or contract for the repairing, making, or amending ſaid roads or any part thereof, ſhall take an oath before ſaid truſtees, or any ſeven or more of them, and which oath they have hereby power to adminiſter, that he or they do undertake the ſame for his or their own uſe, and not for the uſe of or in truſt for or for the benefit of any perſon or perſons concerned in the taking or contracting for the tolls of ſaid roads, or any part thereof.

Toll contractors not to repair, contractors oath.

IX. And whereas it may be found uſeful to alter and change parts of the ſaid road by making other ſtreight or convenient lines different from the preſent: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, to aſcertain, deſcribe,

May ſet out lands convenient,

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mark out, and ſet apart, any part or parts or proportions of the lands convenient to the ſaid road, not being a garden, walled park, whereof the wall ſhall be at the leaſt five feet high, orchard, yard, or meadow, planted walk, or avenue to an houſe, as they the ſaid truſtees or ſeven or more of them ſhall judge neceſſary for carrying the ſame in a convenient line or lines; and the ſaid truſtees, or ſeven or more of them, are hereby further authorized and impowered to treat and agree with the owners and others intereſted in the ſaid ground, to be made uſe of in carrying the ſaid road in ſuch line or lines, for ſuch recompence and ſatisfaction to be made for the ſame out of the tolls and duties ariſing by this and the ſaid former acts, as the ſaid truſtees or ſeven or more of them ſhall think fit and reaſonable; and in caſe any perſon or perſons ſhall neglect or refuſe to treat or agree as aforeſaid, or through any diſability, through non age, coverture, or ſpecial limitation, or by reaſon of any other impedimen, cannot or otherwiſe howſoever refuſe to diſpoſe of their reſpective intereſts in ſuch lands, as the ſaid truſtees, or ſeven or more of them, ſhall think convenient for the making ſuch line or lines as aforeſaid, in every ſuch caſe the ſaid truſtees, or ſeven or more of them, are hereby authorized and impowered to iſſue forth their warrant or warrants to the ſheriff or ſheriffs of the county, where ſuch ground doth lie, to impannell and return before the ſaid truſtees, or any ſeven or more of them, at ſuch time and place within the ſaid county, as ſhall be appointed by ſaid warrant or warrants, a ſufficient jury, who upon their oaths (which oaths the ſaid truſtees, or ſeven or more of them are hereby empowered and required to adminiſter) ſhall enquire into the true and real value of ſuch ground to be made uſe of for the ſaid highway or road; and ſuch verdicts and inquiſitions, as ſhall be ſo found and returned by the ſaid jury aſcertaining the value of ſuch ground, ſhall be final and concluſive as well to the ſaid truſtees as to the ſeveral and reſpective owners and proprietors of ſuch ground notwithſtanding any diſability or incapacity whatſoever; and the ſaid ground ſhall be afterwards from thenceforth deemed and taken as a part of the highway and road to all intents and purpoſes whatſoever.

not garden or 5 feet walled park, &c.

and treat for recompence out of tolls,

on refuſal or diſability, warrant to ſheriff to return jury to inquire the value,

verdict concluſive.

X. And whereas the late Hugh Norcott eſquire deceaſed, James Norcott, and William Norcott eſquire, and ſeveral other perſons have contracted debts with, and they or their repreſentatives ſtill remain indebted to the truſtees appointed by the aforeſaid former acts of the fifth of George the ſecond, and ſeventh of George the ſecond, or ſome of them, or their treaſurer, and have

Treaſurer may ſue debtors,

have executed bonds and warrants to confeſs judgments thereon, or paſſed other ſecurities or vouchers to the ſaid truſtees, or ſome of them, or to their treaſurer, or remain ſtill indebted by book account or otherwiſe to ſaid treaſurer, or for or on account of ſaid roads: be it enacted by the authority aforeſaid, that the ſaid treaſurer, or ſuch other perſon as ſhall from time to time be appointed in his ſtead, ſhall have full power and authority and he is hereby authorized and required to aſk, demand, ſue for, recover, and receive from ſaid perſons ſo indebted, their heirs, executors, adminiſtrators, or aſſigns, all, each, and every of the ſaid debts, dues, and demands, in his own name, or in the name or names of the perſon or perſons to whom the ſame were or are made payable, and to iſſue proceſs or execution thereon forth of any court of law or equity in his own name, or in the name or names of the perſon or perſons to whom the ſame were or are made payable; and all ſums of money, when ſo by him received and recovered, ſhall be veſted in and be to the uſe of the aforeſaid truſtees for the like purpoſes, truſts, and uſes, as any other ſums received by virtue of or under this or the ſaid former acts; and in the mean time, and until the ſaid ſums ſo due ſhall be received and recovered, that the ſame ſhall be, and the ſame are hereby declared to be, and to ſtand as a charge upon the real and perſonal eſtate of the perſons reſpectively, who contracted the ſaid debts, into whoſe hands ſoever the ſame ſhall come; ſaving nevertheleſs the right of ſuch perſon or perſons who have been purchaſers of the ſame, or who have obtained any judgment or judgments, mortgage or mortgages, from or againſt the ſaid perſons, or any of them, before the twenty fifth day of March one thouſand ſeven hundred and ſeventy four, *bona fide*, and for full and valuable conſideration, without notice of ſaid debts.

money recovered veſted in the truſtees,

till recovered, charged on debtors eſtates in whoſoever hands,

ſaving right of purchaſers, judgments, mortgages, before 25 March 1774, *bona fide* without notice of ſaid debts.

XI. And whereas ſeveral perſons, having or holding lands or ground near ſaid highways or roads, have encroached thereon, whereby the ſame have been rendered leſs convenient to carriages and droves of cattle paſſing and repaſſing: be it enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall give notice in writing to the tenant or tenants or owner or owners of ſuch ground, where ſuch incroachment or incroachments have been or ſhall be made, to remove the ſame, and enlarge the ſaid road to its former width, at his or their own expence; and in caſe ſuch tenant or owners ſhall not remove the ſame, and enlarge ſaid road as aforeſaid, before the next monthly meeting or board, that then and in ſuch caſe the ſaid

May on notice remove incroachments,

trustees, or seven or more of them, shall and they are hereby authorized and required to cause the said incroachment to be removed, and the road to be enlarged as aforesaid, and to levy the expences and costs thereof upon the goods and chattles of said tenant or owners so offending in such manner, as any sum may be levied by virtue of this or the said former acts.

and levy the costs.

Account of sums expended on affidavit.

XII. And be it enacted by the authority aforesaid, that all such persons, as shall undertake, agree, or contract for the repairing, making, or amending said roads, or any part thereof, shall give in and deliver to said trustees, or seven or more of them, at their monthly board or meeting a clear, full, and true account of all such sums, as they have expended in the altering, amending, or making said roads, describing the parts altered, made, or amended, and the manner in which the same was done; which accounts they shall, if required, verify by affidavit, which the said trustees, or seven or more of them, are hereby impowered to administer.

7 Trustees sufficient to act, as if in 5 *G.* 2, or 7 *G.* 2. *c.* 20.

XIII. And be it enacted by the authority aforesaid, that any number of the said trustees, not less than seven, shall be deemed a sufficient number to do and perform any act or deed, directed by or mentioned in the aforesaid acts of the fifth of George the second, and seventh of George the second, as fully as if the number of seven had been therein respectively mentioned; any thing in the said acts or either of them to the contrary in any wise notwithstanding.

Expence of this act first paid,

XIV. And be it enacted by the authority aforesaid, that the said treasurer shall, out of such money as shall be in his hands, in the first place pay and discharge the expence of procuring this act of parliament; and that if any suit shall be commenced against any person or persons for any thing done in pursuance of this act, that in every such case the action shall be laid in the respective counties of Cork and of the city of Cork, and not elsewhere; and the defendant or defendants in such actions may plead the general issue; or, if in replevin, avow, that he or they acted by virtue of this act, and may give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done by the authority of this act; and if it shall appear to be so done, or that such action or actions shall be brought in any other county, that then the jury shall find for the defendant or defendants, avowant or avowants; and upon such verdict, or if the plaintiff shall be nonsuited or discontinue his action, after the defendant or defendants shall have appeared, or if on any demurrer judgment shall be given against the plaintiff,

suits laid in *Cork*.

general issue pleaded, &c.

and treble costs to defendants.

the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as any defendant or defendants hath or have in any other caſes by law.

A publick act.

XV. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and ſhall be judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

XVI. And whereas it has been often found difficult to collect a board of truſtees, named and appointed in and by an act of parliament made in this kingdom in the thirteenth year of the reign of his late Majeſty King George the ſecond, entitled *An act for amending and repairing the road leading from the town of Clonmell in the county of Tipperary through the towns of Clogheen, Mitchelſtown, and to Doneraile in the county of Cork*, on account of the greatneſs of the number which conſtitutes a board, whereby the buſineſs of the ſaid turnpike board cannot be properly conducted: therefore be it enacted by the authority aforeſaid, that, where any greater number of truſtees than five is requiſite to do, eſtabliſh, or confirm any act or deed under the ſaid act of parliament of the thirteenth of George the ſecond it ſhall and may be lawful for any ſeven of the truſtees therein named, or thereby appointed, or to be appointed, whether they be reſidents of the county of Tipperary or not, to do and perform any act or deed directed by or mentioned in the ſaid act of parliament of the thirteenth of George the ſecond, as fully and effectually as if the number of ſeven had been therein mentioned, any thing in the ſaid act to the contrary in any wiſe notwithſtanding.

13 G. 2. c. 15.

7 truſtees may act where more than 5 thereby required, whether reſident or not.

Additional truſtees between Kilkenny and Callan.

XVII. And whereas the turnpike road between Kilkenny and Callan is much out of repair, and it would tend to the improvement of the ſame, if a number of additional truſtees be appointed for ſaid road: be it enacted by the authority aforeſaid, that the perſons following be appointed truſtees in addition to thoſe already appointed for ſaid road, that is to ſay, the lord biſhop of Oſſory, ſir William Evans Morres, baronet, ſir John Blunden, baronet, Haydock Evans Morres eſquire, John Butler eſquire, Ralph Gore eſquire, Henry Flood eſquire, the mayor of Kilkenny for the time being, Eland Moſſom eſquire, Recorder, and the Recorder for the time being, Joſeph Mathews eſquire, Jonah Wheeler eſquire, Clayton Bayly eſquire, Arthur Webb eſquire, Patrick Welch eſquire, John Waring eſquire, John Waters eſquire, Edmund Butler eſquire, the reverend Thomas Pack, Anthony Blunt ſenior, eſquire, Anthony Blunt, junior eſquire,

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eſquire, John Gore eſquire, Chriſtopher Hewetſon eſquire, James Wemys eſquire, Thomas Butler eſquire, Francis Lodge eſquire, Robert Sharman eſquire, William Waters, ſenior eſquire, Mathew Keough, ſenior eſquire, the reverend William Auſtin, Peter Bluett eſquire, Henry Geale eſquire, George Smith eſquire, and William Colles eſquire.

Boards alternately at *Kilkenny* and *Clonmell.*

XVIII. And be it enacted by the authority aforeſaid, that the turnpike boards for ſuperintending the buſineſs of ſaid laſt mentioned road be held alternately at the city of Kilkenny and town of Clonmell, whenever ſuch meeting ſhall be appointed.

CHAP. XXX.

An act for amending the road from Dundalk to Dunleer in the county of Louth.

WHEREAS the expence of amending the road from Dundalk to Dunleer in the county of Louth has been paid for many years paſt by the landholders and inhabitants of the ſeveral baronies, through which the ſaid road has been made, which has been very burthenſome to them; and as it is reaſonable, that all perſons, who travel on ſaid road, ſhould contribute to the repair thereof: therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and the commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of June one thouſand ſeven hundred and ſeventy four for amending the ſaid road from Dundalk to Dunleer in the county of Louth it ſhall be lawful for the governor *cuſtos rotulorum*, high Sheriff, knights of the ſhire, and members of parliament of the ſaid county, and all ſuch other members of parliament as reſide in the ſaid county, the juſtices of the peace of ſaid county, the magiſtrates of the ſeveral towns corporate in ſaid county, and the rectors and vicars of the ſeveral pariſhes in ſaid county, all for the time being, together with his grace the lord primate of all Ireland, the right honourable chief baron Foſter, the honourable Mr. juſtice Teniſon, John O'Neil eſquire, ſir Patrick Bellew, baronet, Francis Leigh, Thomas Forteſcue, Mathew Forteſcue, Henry Bellingham, Chicheſter Bolton, Dixie Coddington, John William Foſter, captain Stafford, John Thomas Foſter, John Leigh, reverend William Foſter, James Tiſdall, junior, Henry Shiell, William Tiſdall, Henry Foſter, Alan Bellingham, junior, William Forteſcue, O'Brien Bellingham, Teniſon

Truſtees named.

Teniſon Smith, John Tiſdall, Henry Coddington, William Coddington, Meredyth Workman, John Page, Richard Bolton, George Ball, eſquires, the reverend William Murray, captain Law, Benjamin Thompſon, Henry Hughes, Anthony Foſter, John Eaſtwood, Zacharias Maxwell, Hamilton Gordon, Andrew Foſter, John Page, Nicholas Sharpe, Richard Skelton, and Charles Luſter, gentlemen, or any ſeven or more of them, who are hereby nominated and appointed truſtees of ſaid road to authorize ſuch perſon or perſons, as they ſhall appoint, to erect one gate or turnpike upon any part of the ſaid road between the houſe called the white houſe of Lurgan Green and the road from Lurgan Green to Ardee, through the commons of Drumiſkin by the lands of Whiterath, and from thence to the great road from Ardee to Dundalk, and alſo a toll houſe, and there to demand and take the tolls following, before any horſe, mare, gelding, mule, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, waggon, cart, car, or other carriage, ſhall be permitted to paſs through ſuch gate, viz. for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by ſix horſes or more, the ſum of two ſhillings and ſix pence; for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by four horſes, the ſum of one ſhilling and ſix pence; and for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by two horſes, one ſhilling; for every carriage, commonly called a chair or chaiſe with one horſe, mare, or gelding, ſix pence; for every waggon, wain, cart, or carriage with four wheels, the breadth thereof being not leſs than ſix inches at the ſole, and the ſtreaks thereof ſet on with flat or roſe headed nails, and the fore axletree of ſuch carriage being ſo much ſhorter than the hind axletree, that the wheels of ſuch carriage ſhall roll at leaſt ten inches of the road in breadth on each ſide of ſuch carriage, and the wheels thereof placed at ſuch a diſtance from each other, that the ſpace from the middle of the one track, made by ſuch wheels on the road and the middle of the other track, ſhall be from four feet ten inches to five feet, drawn by three or more horſes, three pence; for every waggon, wain, cart, or carriage with two wheels, the breadth thereof being not leſs than ſix inches at the ſole, and the ſtreaks thereof ſet on with flat or roſe headed nails, two pence; for every waggon or wain with four wheels, narrower than ſix inches, ten ſhillings; for every waggon or wain with two wheels, narrower than ſix inches, having two or more horſes, five ſhillings; for every car or cart having but one horſe, mare, gelding, or mule, the breadth of the wheels thereof being

7 to erect turnpike, and take toll,

amended 15 & 16 *G.* 3. *c.* 6.

the toll,

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three inches at the ſole, and the ſtreaks thereof ſet on with flat or roſe headed nails, one penny halfpenny; for every car or cart having but one horſe, mare, gelding, or mule, the breadth of the wheels thereof being four inches at the ſole, and the ſtreaks thereof ſet on with flat or roſe headed nails, one penny; for every car or cart narrower than three inches, one ſhilling; for every horſe, mare, gelding, mule, or aſs, laden or unladen, and not drawing, one penny; for every drove of oxen or neat cattle the ſum of one ſhilling and eight pence by the ſcore, and ſo in proportion for any greater or leſſer number; for every drove of calves, hogs, ſheep, or lambs, the ſum of ten pence by the ſcore, and ſo in proportion for any greater or leſſer number; and for every horſe, mare, gelding, mule, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, waggon, wain, cart, car, or other carriage travelling on Sundays from ſunriſe to ſunſet double the aforeſaid tolls; which ſaid reſpective ſum and ſums of money ſhall be demanded and taken in the name of or as a toll or duty; and the money ſo to be raiſed as aforeſaid is and ſhall hereby be veſted in the ſaid truſtees; and the ſame and every part thereof ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner, as is herein after mentioned and directed; and the ſaid truſtees, or any ſeven or more of them, are hereby empowered by themſelves or any perſon or perſons, by them or any ſeven or more of them under their hands and ſeals thereunto authorized, to levy the toll or duty hereby required to be paid upon any perſon or perſons, who ſhall after demand made thereof neglect or refuſe to pay the ſame, by diſtreſs of any horſe or horſes, or any cattle or goods, upon which ſuch toll or duty is by this act impoſed, or upon any other of the goods and chattles of ſuch perſon and perſons who ought to pay the ſame, and may detain and keep the ſame, until ſuch toll or duty with the reaſonable charge of ſuch diſtraining or keeping ſhall be paid; and it ſhall be lawful to and for ſuch perſon or perſons ſo diſtraining, after the ſpace of four days after ſuch diſtreſs made and taken, to ſell the goods ſo diſtrained, returning the overplus, (if any be) upon demand to the owner thereof, after ſuch toll, duty, and reaſonable charges for diſtraining and keeping the ſame ſhall be deducted and paid.

Toll after expences paid applied to the road.

II. And be it further enacted by the authority aforeſaid, that out of the firſt money ariſing from the profits of the ſaid gate or turnpike to be erected, the ſaid truſtees, or any ſeven or more of them, ſhall firſt pay and diſcharge the expence of procuring this act of parliament, and of erecting ſuch gate or turnpike,

or building ſuch toll houſe; and from and after ſuch charges and expences ſhall be fully ſatisfied and paid, that then and from thenceforth the profits ariſing, and the toll to be collected at ſaid gate or turnpike, to be erected or ſet upon the ſaid road from the town of Dundalk in the county of Louth to Dunleer in the ſaid county, ſhall be applied towards the amending of the ſaid road.

Permitting paſſage to avoid toll 10s.

III. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever, owing, renting, or occupying any land near unto the ſaid gate or turnpike, to be directed in purſuance of this act, ſhall, for gain, reward, or otherwiſe permit any perſon or perſons whatſoever to paſs through ſuch land with any coach, berlin, chariot, calaſh, chaiſe, or chair, waggon, wain, cart, car, or other carriage, or riding, or driving any horſe, aſs, or mule, or any ſort of cattle, to avoid the payment of the toll hereby appointed to be paid, and being thereof convicted upon oath before the ſaid truſtees, or any ſeven or more of them, or before any one or more juſtice or juſtices of the peace for the ſaid county of Louth, who are hereby impowered and required to adminiſter ſuch oath, ſhall forfeit and pay to the truſtees, authorized to put this act in execution, the ſum of ten ſhillings; to be levied by diſtreſs and ſale of the offenders goods by warrant under the hand and ſeal or under the hands and ſeals of the ſaid truſtees, or any ſeven or more of them, or ſuch juſtice or juſtices, rendering the overplus to the owner (if any be) the charges in taking and diſpoſing of the ſaid goods being firſt deducted.

They may appoint treaſurer, overſeer, &c.

IV. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any twelve or more of them, at their firſt meeting or any ſucceeding meeting by writing under their hands and ſeals ſhall and may elect, nominate, and appoint one fit perſon to be treaſurer, and one fit perſon to be collector of ſuch money, in the name of ſuch toll or duty, as ſhall be due and payable by virtue of this act, and alſo may appoint one or more fit perſon or perſons to be overſeer or overſeers to amend the ſaid road, and from time to time to remove ſuch treaſurer or collector as they ſhall ſee occaſion, and appoint a new one in caſe of death or of ſuch removal; and ſuch perſon or perſons, as is or are by this act liable to pay the ſaid toll or duty, is and are hereby required to to pay the ſame after the rates aforeſaid to the ſaid collector of the ſaid toll or duty, in that behalf from time to time appointed as aforeſaid for receiving the ſaid toll or duty; and ſuch treaſurer or collector ſhall upon oath, if thereto required by the truſtees, or any ſeven or more of them, or before one or more juſtice or

and remove,

juſtices

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justices of the peace, reſiding near the road aforeſaid, which oath ſuch truſtees, or any three or more of them, or ſuch juſtice or juſtices, is and are hereby impowered and required to adminiſter, on the firſt Tueſday in every month, or oftener if required, during the continuance of this act, give in a true, exact, and perfect account in writing under their reſpective hands of all monies, which he and they, and every or any of them, ſhall to ſuch time have received, paid, and diſburſed by virtue of this act by reaſon of their reſpective offices, for which oath no fee or reward ſhall be taken; and in caſe any money ſo received ſhall remain in their or any of their hands, the ſame ſhall be paid to the ſaid truſtees, or any ſeven or more of them, or to ſuch perſon or perſons as the ſaid truſtees, or any ſeven or more of them, (as they are qualified to act) ſhall by any writing or writings under their hands and ſeals authorize and impower to receive the ſame; and the ſaid truſtees, or any ſeven or more of them, to whom ſuch account ſhall be given, ſhall and may, out of the money ariſing by the toll or duty, make ſuch allowance unto the ſaid treaſurer or collector, overſeer or overſeers, for and in conſideration of his and their care and pains reſpectively taken in the execution of his and their office and offices, as to them ſhall ſeem meet, ſo as ſuch allowance to ſuch treaſurer do not annually exceed in the whole the ſum of twenty pounds, and to ſuch collector the ſum of fifteen pounds, and to ſuch overſeer or overſeers not exceeding one ſhilling for each pound ſuch overſeer or overſeers ſhall expend in amending ſuch road.

monthly accounts in writing on oath,

allowance to treaſurer not above 20l. a year,

collector 15l.

overſeer 1s. per pound.

V. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the ſaid overſeer or overſeers, and ſuch perſon or perſons as he or they ſhall appoint, to dig, raiſe, gather, take, and carry away any gravel, ſand, ſtones, or other materials, out of the ſeveral grounds of any perſon or perſons, not being an orchard, yard, planted walk or walks, lawn, or avenue to the manſion houſe of any perſon, where any ſuch materials are or may be found, and from time to time to take and carry away ſuch and ſo much thereof, as the ſaid overſeer or overſeers in their reſpective places ſhall judge neceſſary for the amending the ſaid road, paying ſuch rates for ſuch materials to the owner or occupier of the ground, from whence the ſame ſhall be digged, raiſed, gathered, and carried away, as the ſaid truſtees, or any ſeven of them ſhall adjudge reaſonable; and in caſe of any difference between ſuch owner or occupier and the ſaid truſtees touching the damage aforeſaid, the juſtices of the peace, at the next

Materials raiſed on ſatisfaction given,

any difference determined at ſeſſions.

next general quarter ſeſſions to be holden in the ſaid county may and ſhall adjudge, aſſeſs, and finally determine the ſame.

Annoyances removed.

VI. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the overſeer or overſeers, and ſuch perſon and perſons as he or they ſhall appoint, from time to time to remove and prevent annoyances on any part of the ſaid road, hereby intended to be repaired, or within twenty five feet of the center of ſaid road, by filth, dung, aſhes, rubbiſh, watercourſes, ſinks, or drains running into the ſaid road, and to cleanſe any ditch or watercouſe adjoining to the ſaid road, or which may be neceſſary to carry off the water therefrom, and to cut down, lop, or top any trees growing within twenty five feet of the center of ſaid road, which are nearer to each other than fifteen feet, or any buſhes growing in the ſaid roads or in the hedges adjacent to the ſaid road, at a height not exceeding five feet, the owners or occupiers neglecting to cut down ſuch trees or buſhes, or to remove ſuch annoyances, for the ſpace of ten days after notice in writing given for that purpoſe under the hands of ſeven of the ſaid truſtees, the charges whereof ſhall be reimburſed to the ſaid overſeer or overſeers by ſuch owners or occupiers neglecting to cut down the ſaid trees or buſhes, or to remove ſuch other annoyances as aforeſaid; and if after removal of any ſuch annoyances as aforeſaid any perſon or perſons ſhall again offend in like kind, every ſuch perſon or perſons ſo offending, and being thereof convicted upon oath before one or more juſtice or juſtices of the peace for the ſaid county, ſhall for every ſuch offence forfeit and pay unto the ſaid truſtees ten ſhillings, to be levied in manner aforeſaid.

Drains and arches made, &c.

VII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid overſeer or overſeers by order of the ſaid truſtees, or any ſeven or more of them, to cut and make drains through any grounds lying contiguous to the ſaid road, and to erect arches of brick or ſtone thereupon, and alſo to widen any of the narrow parts of the ſaid road to any breadth, not exceeding forty two feet in the clear, by opening, clearing, and laying into the ſaid road any ground of any perſon or perſons lying contiguous to ſuch road, not being an orchard, yard, planted walk, or avenue to the manſion houſe of any perſon, and alſo to cauſe ditches or trenches to be made in ſuch places and in ſuch manner, as ſuch overſeer or overſeers by order of the ſaid truſtees, or any ſeven or more of them, ſhall adjudge neceſſary for the amending of the ſaid road, making ſuch reaſonable ſatisfaction to the owner or occupier of the ground, which ſhall be ſo laid into the ſaid road, or through which any ſuch drain or drains

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ſhall be cut, or on which any ſuch arch or arches ſhall be made, for the damages which he or they ſhall or may thereby ſuſtain, as ſhall be aſſeſſed and judged by the juſtices of the peace, or the major part of them, at the next quarter ſeſſions to be holden for the ſaid county of Louth, in caſe of any difference concerning the ſame; and if any owner or occupier of any water-courſes, ditch or ditches adjoining to the ſaid road, ſhall neglect or refuſe to ſcour or clean ſuch water-courſes, and to make ſuch ditches ſo deep and in ſuch manner, as the ſurveyor or ſurveyors ſhall adjudge proper and convenient, after eight days notice ſhall be given for that purpoſe by ſuch overſeer or overſeers to ſuch owner or owners, occupier or occupiers, it ſhall be lawful for the overſeer or overſeers to ſet any man or men to work to ſcour or cleanſe and make the ſame, and by warrant from any ſeven or more of the truſtees, to levy the charge thereof upon the perſons goods or upon the eſtate of the owner or owners, occupier or occupiers, of ſuch water-courſes, ditch or ditches, by diſtreſs and ſale of his, her, or their goods and chattles, rendering the overplus (if any be) to the ſaid owner or occupier after all charges paid.

Toll only once a day.

VIII. Provided always, that no perſon or perſons having occaſion to paſs through the gate, where the toll or duty is taken, and who ſhall return the ſame day upon or with the ſame horſe, mare, or gelding, aſs, mule, cattle, coach, chariot, berlin, chaiſe, chair, calaſh, waggon, cart, car, or other carriage, except carts and cars with wheels narrower than three inches, ſhall be liable or compellable the ſame day to pay the ſame toll or duty more than once.

Diſpoſing of ticket to avoid toll, penalty 10s.

IX. And for preventing frauds and abuſes in the ſaid toll or duty be it further enacted by the authority aforeſaid, that if any perſon or perſons having paid the toll or duty by this act granted and made payable, and having ſuch note or ticket, notes or tickets, as hereby directed, ſhall give or diſpoſe of the ſame to any perſon or perſons in order to avoid the payment of the ſaid toll or duty, every ſuch perſon giving, diſpoſing, or offering, and the perſon receiving ſuch note or ticket, notes or tickets, and being thereof convinced upon oath before the ſaid truſtees or any ſeven or more of them or before any one or more juſtice or juſtices of the peace for the ſaid county of Louth, which oath the ſaid truſtees and the ſaid juſtice or juſtices are hereby impowered to adminiſter, ſhall reſpectively forfeit and pay the ſum of ten ſhillings; to be levied, recovered, and diſpoſed of as any other penalty or forfeiture is directed to be levied, recovered, and diſpoſed of by this act.

X. And be it further enacted by the authority aforeſaid, that the ſaid truſtees or any ſeven of them may and are hereby impowered from time to time, as they ſhall ſee convenient or think fit, to compound or agree by the year or otherwiſe with any perſon or perſons uſing to travel through the ſaid gate or turnpike to be erected with any horſe, mare, or gelding, aſs, or mule, or cattle, or with any coach, berlin, calaſh, chaiſe, chair, waggon, cart, car, or other carriage, for any ſum or ſums of money to be paid quarterly from time to time, after ſuch agreement ſhall be made.

7 Truſtees may compound.

XI. Provided alſo, and it is hereby declared, that no perſon ſhall be charged with any of the tolls or duties aforeſaid, who ſhall paſs through the ſaid gate or turnpike to be erected by this act, who ſhall carry any quantity of ſtones, gravel, or other materials for repairing the ſaid road, or any of the roads in the ſaid county, nor ſhall any perſon or perſons be chargeable with the ſaid toll or duty going to or returning from any of the fairs or markets of Lurgan Green aforeſaid; or for any carts or cars with ſix, three, or four inch wheels, loaded with corn in the ſtraw, flax, or hay only, or with turf only, in the months of May, June, July, or Auguſt, or with corn, flour, meal, or potatoes, paſſing through ſuch gate towards Dundalk, or returning empty the ſame day, or with coals or cockles, lime, limeſtone, or with dung, or other manures only; nor ſhall any toll or duty be demanded or taken at the ſaid gate or turnpike to be erected for any horſe, mare, gelding, aſs, or mule, or other cattle going to water, or for any poſt-horſe carrying the mail or packet; nor ſhall any toll or duty be demanded or taken for the horſes of ſoldiers paſſing, that are upon their march, or for waggons, carts, cars, or other carriages attending them; or for horſes, waggons, carts, cars, or other carriages travelling with vagrants ſent by paſſes, or with priſoners tranſmitted from one part of the kingdom to another.

Perſons exempted.

XII. And be it further enacted by the authority aforeſaid, that the toll or duty hereby granted ſhall take place and have continuance from and after the firſt day of June in the year of our Lord one thouſand ſeven hundred and ſeventy four for and during the term of forty one years.

Continued 41 years from 1ſt June 1774.

XIII. And be it further enacted by the authority aforeſaid, that for the continuing a ſufficient number of fit perſons to be truſtees for putting in execution all and every the powers in this act contained for and during the continuance thereof it ſhall

12 Truſtees on vacancy may elect others living in *Louth*.

and

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and may be lawful for the ſaid truſtees, or any twelve or more of them, upon the death or reſignation of any of the truſtees mentioned in this act, or of any perſon that ſhall be hereafter elected, from time to time and at all times hereafter during the term aforeſaid to elect, nominate, and appoint, in the room of ſuch truſtee or truſtees ſo deceaſed or reſigning, ſo many more fit perſon or perſons living in the ſaid county of Louth to be joined with the ſaid truſtees in the execution of all and every of the power and powers in them repoſed by virtue of this act; and all and every perſon and perſons, ſo to be choſen truſtee or truſtees, to join in putting this act into execution as they are herein before qualified to do, ſhall and may and are hereby impowered to act to all intents and purpoſes in as full, large, and ample manner, as the ſaid truſtees are by this act impowered to do, and ſo *toties quoties* as often as occaſion ſhall require.

Meeting at *Dundalk*,

XIV. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any twelve or more of them, ſhall meet at the ſaid town of Dundalk on the firſt Monday in June next in the ſeſſions houſe; and the ſaid truſtees ſhall afterwards meet there or at any other place or places near the ſaid road, that the ſaid truſtees or any ſeven or more of them ſhall think proper and convenient, as often as it ſhall be neceſſary for the putting this act in execution, except in ſuch caſes where a greater number is expreſſly required by this act; and that the ſaid truſtees, or any ſeven or more of them ſhall meet at the ſaid town of Dundalk on the firſt day of every ſpring and every ſummer aſſizes in every year during the term aforeſaid for the granting money to amend the ſaid road, and for the doing any other neceſſary buſineſs; and that no money ſhall be granted at any board for amending the ſaid road, unleſs it ſhall appear by the affidavit of two credible perſons, who can read and write, that ſuch ſum is neceſſary to repair or make ſo many perches of ſuch road at the rate of ſo much by the perch, and that a ſmaller ſum will not be ſufficient to repair or make the ſame; and that no money ſhall be paid by the treaſurer to any overſeer, unleſs the ſaid overſeer maketh oath before a board of the ſaid truſtees, that the ſaid ſum hath been faithfully and honeſtly expended in amending or making ſo many perches of the ſaid road, and for his wages at not more than twelve pence for each pound ſo expended in amending or making ſaid road, and that he did attend the ſaid work diligently and carefully, and ſhall produce to the ſaid board an exact account of the

no grant of money, unleſs on affidavit by a literate,

nor paid to overſeer unleſs on account on oath,

the number of men, horſes and cars, employed each day at the ſaid work; and ſhall ſwear to the truth of the ſaid account; and then and not ſooner the ſaid board ſhall give an order to ſuch overſeer on the treaſurer for the payment of the ſaid account; and if it ſhall happen, that there ſhall not appear at any meeting, which ſhall be appointed to be had and held by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting and to adjourn to any other day, then and in ſuch caſe the treaſurer, by notice in writing to be affixed on the ſaid gate or turnpike at leaſt twenty days before the next meeting, ſhall appoint the ſaid truſtees to meet at the houſe, where the meeting of the ſaid truſtees was laſt appointed to be had, or at ſome other convenient houſe near the ſaid road; and that the ſaid truſtees at their firſt meeting and at other ſubſequent meetings ſhall defray their own charges and expences.

Truſtees bear their charges.

XV. And whereas the ſaid road may be laid out in a more convenient line between the town of Caſtlebellingham and the white houſe at Lurgan Green: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, to ſhorten or make more convenient the ſaid road by laying it out, and making it in ſuch direction, as they ſhall think proper, between the ſaid town of Caſtlebellingham and the white houſe at Lurgan Green, by and with the conſent of the ſeveral proprietors of the land through which ſuch new road ſhall be laid out and not otherwiſe; and that whenever ſuch new road ſhall be laid out, the ſame ſhall be made and from time to time repaired by the tolls to ariſe by virtue of this act, and ſhall be thenceforth a part of ſaid turnpike road, ſubject to all the rule, proviſoes and regulations, to which the preſent road is by this act made ſubject, and that ſo much of the preſent road, as ſhall be contained between the point, where the ſaid new road ſhall begin, and the point where it ſhall end, ſhall from thenceforth ceaſe to be a part of the ſaid turnpike road, or to be ſubject to any of the powers or regulations herein enacted, but ſhall be and ever continue to all intents and purpoſes, as if this preſent act never had been made.

Power to ſhorten the road.

XVI. Provided always, and be it further enacted by the authority aforeſaid, that no perſon or perſons, appointed by this act a truſtee or truſtees for putting this act in execution, ſhall have or accept of any place of profit ariſing out of or by reaſon of the toll or duty by this act laid or granted, but ſuch perſon or perſons ſhall be incapable from the time of accept-

No place of profit to truſtee.

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ing and continuing to enjoy ſuch place of profit of acting as a truſtee.

Suits laid in *Louth*.

XVII. And be it further enacted by the authority aforeſaid, that if any ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, that in every ſuch caſe the action ſhall be laid in the ſaid county of Louth, and not elſewhere; and the defendant or defendants in ſuch action or actions to be brought may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of this act; and if it ſhall appear ſo to be done, or that ſuch action or actions ſhall be brought in any other county, that then the jury ſhall find for the defendant or defendants; and upon ſuch verdict, or if the plaintiff ſhall be non-ſuited or diſcontinue his action, after the defendant or defendants ſhall have appeared, or if on any demurrer judgment ſhall be given againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as any defendant or defendants hath or have in any other caſes by law.

General iſſue pleaded, &c.

treble coſts to defendants.

A publick act.

XVIII. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever without ſpecially pleading the ſame.

CHAP.

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CHAP. XXXI.

An act for continuing, explaining, and amending an act made in the eighth year of the reign of his preſent Majeſty George the third, entitled, An act for making and repairing the road from the town of Liſtowell in the county of Kerry through the lands of Liſtowell, Drumin, Skebanireen, Bunegarab, Killmeany, Curragpholig, Knockenure, Leſſiniſky, and Binaniſpig, in the county of Kerry, Atea, Taumpleatlea, Glanagour, Knockfiniſk, Carrigkerry, Glanduff, Glannoſtare, Ballyline, Ardagh commons, Ardagh town, Liſhilleen, otherwiſe Liſhereen, Skebanagh, Killſcannell, and Reens, in the county of Limerick, ending at the forge on the ſaid lands of Reens at the turn of the road leading to Newcaſtle from Rathkeal in the ſaid county of Limerick.

WHEREAS it is provided by the ſaid act, that the truſtees therein named, or any twelve or more of them, ſhall be impowered by writing under their hands and ſeals to mortgage the tolls thereby granted, or any part thereof, for any term or time during the continuance of the ſaid act as a ſecurity for any ſum or ſums of money by them to be borrowed for making and repairing ſuch road to the perſon or perſons, or his or their truſtees, who ſhall advance and lend the ſame, to ſecure the repayment thereof with lawful intereſt, or leſs if the ſame can be had: and whereas Thomas, earl of Kerry, John, earl of Wandesford, William viſcount Croſbie, Edward Denny eſquire, truſtees named in the ſaid recited act, with others have ſubſcribed ſeveral ſums of money for making and repairing the ſaid road according to the ſaid act, but which ſums have proved altogether inſufficient for making and repairing the ſame: and whereas from the low ſtate of turnpike credit in this kingdom, it is apprehended, that a ſufficient ſum will not, nor is likely to be, ſubſcribed for making and repairing the ſaid road: and it is conceived, that if the term in the ſaid recited act mentioned to be granted of the tolls and duties of the ſaid road was enlarged, and the truſtees impowered to grant a leaſe or leaſes of the ſaid tolls and duties for all or any part of the ſaid term to ſuch perſon or perſons, as ſhould contract for the making and repairing the ſaid road, and keeping the ſame in repair from time to time during ſuch term, at ſuch rent or rents, and under ſuch conditions as ſhould be contracted for, that ſuch road may be made

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made and repaired according to the intent of the ſaid recited act: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the tolls or duties of the ſaid road, by the ſaid recited act granted, ſhall take place and have continuance from the firſt day of May in the year one thouſand ſeven hundred and ſeventy four for and during the term of eighty one years, from thence to be computed and ended.

Tolls granted by 7 G. 3. c. 11. continued 81 years from 1 May 1774.

II. And be it enacted by the authority aforeſaid, that within a month after the commencement of this act the truſtees ſhall cauſe an advertiſement to be publiſhed in the Munſter Journal, printed in the city of Limerick, in which a day ſhall be appointed for a general meeting of the truſtees not leſs than fifteen days after ſuch publication in the town of Liſtowell in the county of Kerry; and in ſuch advertiſement it ſhall be declared, that the chief purpoſe of ſuch meeting ſhall be to receive propoſals from ſuch perſon or perſons, as are willing to contract for the making and repairing the ſaid road, and keeping the ſame in good repair during the continuance of ſuch contract, in conſideration of having the ſaid tolls and duties aſſigned and ſecured to ſuch perſon or perſons, during the continuance of the term for which the tolls ſhall be granted by this act, or for ſuch part thereof as ſhall be agreed upon.

Advertiſement for meeting to contract.

III. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for ſuch truſtees ſo aſſembled purſuant to ſuch advertiſement, or any number of them not leſs than fifteen, by inſtrument in writing under their hands and ſeals to farm and ſet the ſaid tolls or duties at ſuch annual rent, as ſhall be offered for the ſame, to the higheſt and faireſt bidder, or to convey and aſſign the ſaid tolls or duties for ſuch part of the term for which the act ſhall have continuance, to ſuch perſon or perſons as ſhall oblige themſelves to make and repair the ſaid road, and keep the ſame in compleat repair during the ſaid term, and ſhall give ſufficient ſecurity for the performance of the ſame, ſubject to ſuch reſervations, clauſes, reſtrictions, and agreements, as the ſaid truſtees ſhall think fit.

15 Truſtees may by writing under hands and ſeals farm the tolls to beſt bidder.

IV. Provided always that the preſent creditors, or two thirds of them in number and in the value of their debts, or perſons duly authorized under the hands and ſeal of ſuch creditors, or two thirds of them in number and value, ſhall be actually preſent at ſuch meeting, and conſenting to ſuch agreement or agreements.

2-3ds of creditors preſent and conſenting.

V. And

V. And be it further enacted by the authority aforeſaid, that if by the nonattendance of a ſufficient number of ſuch truſtees, or of the creditors or perſons authorized by them, or by any other fatality or chance the truſtees ſhall not be able to make ſuch agreement, they ſhall in that caſe cauſe another advertiſement to be publiſhed in the Munſter Journal as aforeſaid, appointing another meeting at the ſaid town of Liſtowell not leſs than fifteen days after ſuch advertiſement, and declaring the cauſes which rendered the former meeting ineffectual, and that the meeting then advertiſed ſhall be for the ſame purpoſes as the former, and ſo from time to time till the ſaid truſtees can have an effectual meeting for the purpoſes aforeſaid; and the ſaid truſtees at ſuch ſecond or any ſubſequent meeting ſhall have power to act, as they might at the former meeting.

Advertiſe further meeting till effectual.

VI. And for as much as there is reaſon to apprehend from the low ſtate of turnpike credit, and the ſcarcity of money, and of ſubſtantial perſons to undertake the making and repairing the ſaid road, that the ſaid truſtees may not be able notwithſtanding their beſt endeavours to carry this act into execution, and to get the ſaid road made and repaired by the means aforeſaid: be it enacted by the authority aforeſaid, that in ſuch caſe it ſhall and may be lawful for the ſaid truſtees, or any number of them not leſs than twenty one, at a meeting to be held on a day appointed by advertiſement as aforeſaid at the ſaid town of Liſtowell, to execute an inſtrument or deed in writing under their hands and ſeals, declaring their having uſed their beſt endeavours to raiſe money for making and repairing the ſaid road, and to carry the purpoſes of this act into execution, and that all their endeavours had proved ineffectual, and that from thenceforth they will not levy, nor cauſe to be levied, any tolls upon any part of the ſaid road, nor erect or cauſe to be erected any turnpike gate upon the ſaid road, or any part thereof.

21 Truſtees at meeting may execute a declaration not to levy toll or erect turnpike, their endeavours proving ineffectual.

VII. Provided always, that the perſons, who have heretofore advanced money, or ſhall hereafter advance money, for making and repairing the ſaid road, or two thirds of the ſaid perſons in number and value of the ſums advanced by them, or ſuch perſons as ſhall be by them or two thirds of them as aforeſaid duly authorized under their hands and ſeals, ſhall be preſent at the execution of ſuch writing and conſenting thereto.

2-3ds creditors preſent and conſenting.

VIII. And be it further enacted by the authority aforeſaid, that one part of the ſaid deed or inſtrument ſhall be depoſited with the clerk of the peace of the county of Limerick, and another with the clerk of the peace of the county of Kerry, and

Depoſited with clerks of peace,

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shall be by him or them kept among the records in his or their office or offices; and from the time the said instruments shall be so deposited in the said offices respectively, no gate shall ever after be erected or tolls levied on the said road or any part thereof by virtue of this or the said recited former act, but the said road shall be construed thence-forward as a publick road to be made by presentments of the grand juries, as if this act and the said recited act had never been made.

no gate or toll after.

Additional trustees.

IX. And for as much as it has been sometimes found difficult to procure a sufficient number of trustees to meet and carry the said recited act into execution: be it enacted by the authority aforesaid, that the following persons shall be and are hereby appointed trustees in conjunction with those, that are now trustees, for carrying this act into execution, with the same powers as are vested in the former trustees, that is to say, William lord bishop of Limerick, Launcelot Hill esquire, Hugh Massey of Stoneville esquire, William Sandes esquire, Stephen Creaghe esquire, the reverend dean Hoare, John Creaghe esquire, Gerald Blennerhasset esquire, Richard Fitz-Gerald esquire, Maurice Hewson esquire, George Gun the younger esquire, William Raymond of Drummin esquire, reverend Robert Hewson, Robert Hickson esquire, James Massey of Stoneville esquire, Robert Day esquire, John Marshall esquire, Thomas Franks the younger esquire, Edward Croker the younger esquire, Launcelot Sandes esquire, Arthur Herbert esquire, Terry Monsell esquire, Henry Blennerhassett esquire, Mr. Crosbie Morgell, and the reverend Thomas Graves of Ballymacelligut.

7 *G.* 3. c. 11. save as altered, in force 81 years.

X. And be it enacted by the authority aforesaid, that the said recited act, and all and every the powers and authorities, articles, rules, penalties, and clauses therein contained, except so much thereof as is hereby altered, shall be of full force and effect, and shall continue to be executed, during the said term of eighty one years hereby granted, subject to the alterations made by this act, as if the same powers and authorities granted and given by the said act were herein again repeated and re-enacted; any thing in this or the said former act contained to the contrary notwithstanding.

A publick act.

XI. And be it enacted by the authority aforesaid, that this act shall be deemed, adjudged, and taken to be a public act, and be judicially taken notice of as such, by all judges, justices, and every other person whatsoever without specially pleading the same.

CHAP.

A. D. 1773-4.

CHAP. XXXII.

An act for amending the publick roads.

Amended 17 & 18 *G.* 3. *c.* 22.

WHEREAS it is neceſſary, that ſome alterations ſhould be made in the laws for amending the publick roads, and to avoid the confuſion that may ariſe from a multiplicity of acts of parliament relative to the ſame ſubject, it is thought expedient to repeal one of the ſaid laws; be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four an act paſſed in the fifth year of the reign of his preſent Majeſty, intitled, *An act for the more effectually amending the publick roads*, and every clauſe therein contained, except the clauſe for repealing the ſeveral acts of parliament therein particularly mentioned, and except ſuch part thereof as relate to the county of Dublin, ſhall be repealed and made null and void.

5 *G.* 3. *c.* 14. repealed, ſave the repealing clauſe therein and what relates to county of *Dublin*,

ſec. 17 *of ſaid act revived by* 19 & 20 *G.* 3. *c.* 22.

II. And for amending the publick roads, or for making new roads where neceſſary throughout this kingdom, be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four it ſhall be lawful for the grand jury of any county, at any aſſizes held for ſuch county, to preſent any publick road in ſuch county, or any part thereof, to be repaired, or any part of any publick road, which is not of the breadth of twenty one feet in the clear, to be widened to any breadth not exceeding thirty one feet, nor leſs than twenty one feet in the clear; and alſo to preſent any new road to be laid out and made from market town to market town, or from any market town to the ſea, through any part of ſuch county, except through the deer park of any perſon, or through any field incloſed with a wall five feet high at leaſt, with lime and ſtones or bricks, or through the houſe, offices, gardens, or orchards of ſix years growth of any perſon who inhabits a houſe built with lime and ſtones or bricks; and to appoint one or more perſons, who can read and write, to overſee and carry into execution every ſuch preſentment; and further to preſent all ſuch ſum or ſums of money, as ſhall appear neceſſary, to be raiſed upon any barony or half barony, for which a high conſtable has been uſually appointed in ſuch county, to be expended in repairing, widening, or making any publick road in ſuch

Preſentments at aſſizes to repair roads not 21 feet clear,

to be widened not above 31 nor under 21,

or to lay out new road from market to market or the ſea,

not thro' deer park, field with 5 foot wall, houſe, garden, &c.

literate overſeers appointed, wages 1*s.* *per* l.

preſentment of ſums neceſſary to be raiſed on barony or half barony conſidered and charged as barony,

ſuch barony or half barony as aforeſaid, which half barony ſhall be conſidered and charged as a barony, and in paying wages to the overſeer appointed as aforeſaid, after a rate not exceeding the rate of one ſhilling in the pound for each pound preſented to be expended by ſuch overſeer.

Affidavit by 2 credible and literate before a judge or 2 juſtices firſt laid before grand jury.

III. Provided always, that no ſum of money ſhall be ſo preſented for the repairing of any road, unleſs an affidavit ſworn by two credible perſons, who can read and write, before one of the judges of aſſize, or before any two juſtices of the peace for ſuch county, in the following form, be firſt laid before the grand jury.

County of } of and of do ſwear, that they have lately meaſured perches of the road from to between and all in the barony or half barony of in this county, and that it will require the ſum of effectually to repair the ſaid perches with gravel or ſmall ſtones, being at the rate of by the perch, which they verily believe is the leaſt the ſaid perches can be effectually repaired for.

No preſentment for repair paid, till affidavit by 1 overſeer before a judge allowed.

IV. And provided always, that no part of the money ſo preſented ſhall be paid on account of any preſentment for the repair of any road by the treaſurer of any county, until the affidavit of one of the overſeers, who can read and write, appointed by the grand jury, ſworn before one of the judges of aſſize, in the following form, ſhall be allowed by the grand jury and by the judge of aſſize.

County of } Whereas the ſum of was preſented at aſſizes, in the year for ſaid county, to be expended in repairing perches of the road from to between and in the barony or half barony of at the rate of by the perch, and the ſum of for overſeers wages, at pence for each pound. Now I of do ſwear, that I have expended faithfully and honeſtly the ſum of in repairing effectually with gravel or ſmall ſtones perches of the ſaid road, which ſum, with my wages, at pence for each pound, makes in the whole the ſum of and that every part of ſaid perches is twenty one feet wide in the clear within the ditches, drains, or fences, and is fourteen feet wide with gravel or ſmall ſtones.

except

except where the road presented to be repaired is inclosed on both sides with walls built with lime and stones or bricks, and is not twenty one feet wide between the same; in which case, instead of the words *(twenty one feet wide in the clear within the ditches, drains, or fences)* shall be inserted these words *(enclosed on both sides with walls built with lime and stones or bricks five feet high.* A. D. 1773-4. Chap. 32.

V. And provided also that no money shall be so presented for the widening of any publick road, unless an affidavit sworn by two credible persons, who can read and write, before one of the judges of assize, or two justices of the peace for such county, in the form following be first laid before the grand jury. Affidavit by 2 for widening a road laid before grand jury.

County of } *of and of do swear, that they have lately measured perches of the road from to between and all in the barony or half barony of in the said county; and that no part of said perches is twenty one feet wide in the clear of ditches, drains, or fences, or enclosed on both sides with walls built with lime and stones or bricks, five feet high, and that it will require the sum of to widen the said perches to the breadth of in the clear, and to make fences instead of those which shall be taken down or destroyed in order to widen the same, being at the rate of by the perch; and that said sum is a reasonable charge, and is the least, they verily believe, that said work can be effectually done for.*

And that no money shall be paid by the treasurer of any county on account of such presentment, unless an affidavit of one of the overseers, sworn before the judge of assize, in the form following shall be allowed by the grand jury and the judge of assize. and affidavit by 1 overseer allowed by grand jury and judges,

County of } *Whereas the sum of was presented by the grand jury of said county at assizes in the year to be expended in widening perches of the road from to between and all in the barony or half barony of in said county, and the sum of for overseers wages, at pence for each pound. Now I of do swear, that I have faithfully and honestly expended the sum of in widening perches*

perches of ſaid road; which ſum with my wages, at pence for each pound, makes in the whole the ſum of and that every part thereof is now feet wide in the clear of ditches, drains, or fences, and that new fences are made inſtead of thoſe, that have been taken down or deſtroyed in order to widen the ſame.

and ditches ſcoured 17 & 18 G. 3. c. 22. ſ. 5.

Where the road a boundary, half only preſented,

VI. Provided always, that if any part of any publick road be the boundary between any two baronies in ſuch county or between any barony or half barony in ſuch county and a barony or half barony in any adjoining county, ſo as that one ſide of ſuch road is in one barony or half barony and the other ſide in another, it ſhall not be lawful for any grand jury to preſent more than half of the ſum, that ſhall appear neceſſary, for repairing or widening ſuch road, and half the overſeers wages, to be raiſed on either of the baronies or half baronies, between which ſuch part of ſaid road is the boundary; and that in the affidavit, to be made before the money can be preſented for repairing or widening ſuch road, and alſo in the affidavit to be made by the overſeer before the ſaid money can be paid, inſtead of the words (*all in the barony of*) ſhall be inſerted theſe words (*which ſaid perches are the mearing between the baronies of and in ſaid county, or between the barony or half barony of in ſaid county, and the barony of in the county of*) as the caſe ſhall happen to be, and that no money ſhall be paid by the treaſurer of any county on account of ſuch preſentment, unleſs it ſhall alſo appear to the judge of aſſize, and to the grand jury, that an equal ſum hath been preſented to be raiſed for ſaid work on the adjoining barony.

and no payment, unleſs an equal preſentment on adjoining barony.

Preſentment for new road from market to market or directly to the ſea,

fences not above 1s. *per* perch,

on county or barony,

overſeer's wages not above 1s. *per* l.

VII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the grand jury of any county at any aſſizes held for ſuch county to preſent ſuch ſum or ſums of money, as ſhall appear to them neceſſary to lay out and make any new road through ſuch county, or any part thereof, from market town to market town, or from any market town directly to the ſea, or to make fences thereto not exceeding the rate of one ſhilling for each perch of ſuch fence, to be raiſed either upon ſuch county, and expended in laying out and making ſuch new road, or in making fences and paying wages to the overſeers, after a rate not exceeding the rate of one ſhilling in the pound for each pound preſented to be expended by ſuch overſeer, or upon any barony in ſuch county, and expended in laying out and making any part of ſuch new road or

fences within such barony, and in paying wages to the overseer after the rate aforesaid.

VIII. Provided always, that in every presentment, made for the laying out of any new road, the name of the person requesting the same be inserted; and that no such presentment shall be made, unless it shall first appear by affidavit sworn before any two justices of the peace for such county, that a map of such new road has been deposited with the treasurer of such county twenty one days at least before the first day of such assizes, in order to be inspected by all persons whom it may concern, (which map is to be kept by the clerk of the crown among the records of the county) and that either the several owners or occupiers of the lands, through which such new road is to be made, have consented thereto, or else that no part of such intended new road is to be made throughth deer park of any person, or through any field enclosed with a wall five feet high at least, built with lime and stones or bricks, or through the house, offices, gardens, or orchards of six years growth of any person who inhabits a house built with lime and stones or bricks, without the consent of the owner thereof; and that a notice, setting forth that an application is intended to be made at the next assizes for a presentment to lay out a new road from to distinguishing the several lands and baronies or barony, through which the same is to be made in such county, and the number of perches it is to be made through each town land, has been personally served upon or left at the house of each occupier of the land, through which the same is to be made in such county, twenty one days at least previous to the first day of such assizes, and that another such notice has been posted upon the door of the county court house seven days at least previous to the first day of such assizes.

Requesting new road named in presentment,

and affidavit before 2 justices of a map deposited with treasurer 21 days before first of assizes (kept by crown clerk)

and of owners or occupiers consent, or not to go through deer park, field with 5 foot wall, house, garden, &c.

and 21 days notice to each occupier of the application, distinguishing lands and baronies and perches thro' each town land,

and posted on court house door 7 days before.

IX. Provided also, that no money shall be presented for the making of any new road, unless an affidavit sworn by two credible persons, who can read and write, before one of the judges of assize, or before any two justices of the peace for such county, in the form following be first laid before the grand jury.

Affidavit for new road by 2 literate before a judge or 2 justices,

County of } *of and of do swear, that it will require the sum of to make perches of the new road lately laid out from to between and all in the barony of in the said county, thirty feet wide in the clear at the least, and fourteen feet wide at the least, with gravel*

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gravel or ſmall ſtones, being at the rate of by the perch, which, they verily believe, is the leaſt the ſaid perches can be effectually made for.

affidavit by 1 overſeer before a judge

And that no part of the money ſo preſented ſhall be paid on account of ſuch preſentment by the treaſurer of any county, until the affidavit of one of the overſeers, who can read and write, appointed by the grand jury, ſworn before one of the judges of aſſize, in the following form ſhall be allowed by the grand jury and by the judge of aſſize.

County of } Whereas the ſum of was preſented at aſſizes in the year for ſaid county, to be expended in making perches of the new road from to between and all in the barony of at the rate of by the perch, and the ſum of for overſeers wages at pence for each pound. Now I of do ſwear, that I have expended faithfully and honeſtly the ſum of in making perches of the ſaid new road, and that the ſaid perches are thirty feet wide at the leaſt in the clear, within the ditches, drains, or fences, and were effectually made fourteen feet wide at the leaſt, with gravel or ſmall ſtones between the twenty fifth day of March and the twenty fifth day of Auguſt in the year which ſum, with my wages at pence for each pound, makes in the whole the ſum of

no payment by treaſurer for fences till affidavit by 1 overſeer and allowed.

And that no money ſhall be paid by the treaſurer of any county on account of any preſentment for fences, unleſs it ſhall appear to the grand jury by the affidavit of one of the overſeers ſworn before the judge of aſſize, that the number of perches of fences preſented to be made has been made purſuant to ſaid preſentment, and unleſs the ſaid affidavit be allowed by the grand jury and judge of aſſize.

Preſentment for new road may be traverſed,

tried at ſame or next aſſizes, unleſs cauſe,

verdict of damages concluſive,

X. And be it further enacted by the authority aforeſaid, that if any perſon ſhall think himſelf or herſelf aggrieved by any preſentment for making any new road, ſuch perſon may traverſe the ſame at the ſame aſſizes, in which ſuch preſentment ſhall be made; and ſuch traverſe may be tried at the ſaid aſſizes, and, if not then tried, ſhall be tried at the aſſizes next enſuing, unleſs good cauſe be ſhewn to the contrary; and the jury, who ſhall try the traverſe, ſhall true verdict give, whether any and what damages will accrue thereby to ſuch perſon; which verdict ſhall be

be concluſive to ſuch perſon; and upon the ſum ſo found for damages being paid to him or her, or depoſited with the treaſurer, for his or her uſe, it ſhall be lawful for the overſeer to proceed and lay out or make ſuch new road purſuant to the preſentment without the interruption of ſuch perſon; and it ſhall be lawful for the grand jury to preſent at their diſcretion the ſum ſo found for damages, to be raiſed upon the county or upon the barony or baronies, through which the ſaid road ſhall be made, in proportion to the length it ſhall be made through each barony; and that the grand jury of any county may alſo preſent any old road, or any part thereof, to be ſtopped up, where any new road to anſwer the purpoſes of the old one hath been or ſhall be made, except ſuch old roads concerning which ſuits are now depending either in law or equity.

on payment or depoſite overſeer may proceed, preſented on county or baronies,

and for ſtopping old road, ſave ſuits depending.

XI. Provided always, that it ſhall be lawful for any perſon, who ſhall think himſelf or herſelf aggrieved by ſuch preſentment for ſtopping up any old road, to traverſe ſuch preſentment at the ſame or at the next aſſizes after ſuch preſentment ſhall be made; and ſuch traverſe ſhall be tried by a jury; and in caſe ſuch preſentment ſhall not be traverſed, or if traverſed a verdict ſhall be found for the preſentment, ſuch preſentment ſhall be confirmed.

Such preſentment traverſed, tried the ſame or next aſſizes,

if not, or verdict for it, confirmed.

XII. And be it further enacted by the authority aforeſaid, that the veſtries of the ſeveral pariſhes in the ſeveral cities in this kingdom (except the cities of Dublin and Cork) and that the veſtries of the ſeveral pariſhes in the ſeveral corporate or borough towns in this kingdom, and in the market town of Lurgan in the county of Armagh, may and are hereby impowered, if they think fit, to preſent ſuch ſum or ſums of money, as they ſhall think neceſſary, to be raiſed upon the inhabitants of ſuch pariſhes reſpectively living within the bounds of ſuch cities and towns, for the paving, gravelling and cleanſing the ſeveral ſtreets or lanes through ſuch part of every ſuch pariſh, as is in ſuch cities and towns, or for lamps to enlighten the ſtreets or lanes in ſuch cities and towns; and alſo to appoint proper perſons to applot and levy the ſum or ſums ſo preſented by the ſaid veſtry, and to allow the ſaid perſons any ſum not exceeding twelve pence, for each pound ſo applotted and levied, for their trouble in applotting and levying the ſame, and to appoint proper perſons to be directors or overſeers for the expenditure of the money ſo preſented, who ſhall be obliged to account upon oath to the veſtry of ſuch pariſh for the ſame, and to allow the ſaid perſons any ſum not exceeding two ſhillings for each day every ſuch director

Veſtries in cities (ſave *Dublin* and *Cork*) and in boroughs and *Lurgan*, may preſent on inhabitants for paving, gravelling, or cleanſing ſtreets, or for lamps;

and appoint applotters at 12d. *per* L.

and directors accountable on oath, 2s. every day employed.

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or overſeer ſhall be neceſſarily employed in directing or overſeeing ſuch work.

No vote at veſtry till oath if required, of being houſeholder within the bounds, worth 100l. and not tenant at will.

XIII. Provided that no perſon ſhall have a right to vote at any ſuch veſtry, until he ſhall have firſt taken the following oath, if thereto required by any pariſhioner, which oath the miniſter or curate of ſuch pariſh is hereby impowered to adminiſter:

I A. B. *do ſwear, that I am a houſholder of this pariſh, and that I live within the bounds of this city or town, and that I am worth one hundred pounds, over and above all the debts I owe, and that I am not a tenant at will for the houſe I live in.*

Carts, &c. drawn with wheels under 3 inches, and with ſprigs, forfeited with 5s. and 5d. to the ſeizor,

XIV. And whereas the roads in this kingdom are very much damaged by the narrow wheels of cars, carts, and drays, and by the ſtreaks being ſet on ſuch wheels with ſprigs or high headed nails: for preventing of which be it further enacted by the authority aforeſaid, that from the twenty fourth day of June one thouſand ſeven hundred and ſeventy four every owner or driver of any cart, car, dray, or waggon, the wheels of which ſhall be of leſs breadth or gauge than three inches at the leaſt from ſide to ſide at the bottom or ſole, when worn, and when the ſtreaks or iron, with which ſuch wheels are bound, ſhall be ſet on with ſprigs or high headed nails, ſhall forfeit the ſum of five ſhillings and five pence, as alſo ſuch cart, car, dray, or waggon, whenever any ſuch cart, car, dray or waggon ſhall be uſed or drawn on any publick road in this kingdom, to the perſon ſeizing the ſame; for the recovery whereof it ſhall be lawful for any perſon to ſeize any ſuch carriage, as alſo any horſe or beaſt of draft in ſuch car, cart, dray, or waggon, with all the harneſs or accoutrements thereunto belonging, with all convenient ſpeed, * deliver up the ſaid horſe, or beaſt of draft, into the cuſtody of the conſtable, pound-keeper, or pariſh officer of the ſame or of the adjacent pariſh or liberty, where ſuch ſeizure ſhall be made, who are hereby required to receive and retain the ſame for the ſpace of twenty four hours, unleſs ſooner delivered by virtue of a warrant from a juſtice of the peace of the county, where ſuch ſeizure ſhall be made, in manner hereafter directed; provided that the perſon ſo ſeizing the ſame ſhall within the ſpace of twenty four hours make oath before ſome juſtice of the peace of ſuch county, who, being ſatisfied that ſuch offence has been committed, ſhall iſſue his warrant under his hand and ſeal to the conſtable, pound-keeper, or pariſh officer, in whoſe cuſtody ſuch horſe or beaſt of draft is, requiring him to deliver the ſame unto the

beaſt of draft therein ſeized with all harneſs,

delivered to pariſh officer,

kept 24 hours, unleſs ſooner delivered by warrant,

oath by ſeizor in 24 hours,

juſtice's warrant to deliver to perſon named, paying 1s. each beaſt,

perſon named in ſuch warrant, he firſt paying to ſuch conſtable, pound-keeper, or pariſh officer the ſum of one ſhilling for each horſe or beaſt of draft for his trouble in detaining the ſame; and upon delivery of ſuch diſtreſs to the perſon named in ſuch warrant the ſame ſhall be to the ſole uſe of the perſon or perſons ſo named in ſaid warrant, unleſs the owner of the ſaid beaſt or beaſts at the time of ſuch ſeizure ſhall before the delivery of the ſame pay to the perſon or perſons named in ſuch warrant the ſum of five ſhillings and five pence; on payment whereof the ſaid conſtable, pound-keeper, or pariſh officer, ſhall deliver ſuch beaſt or beaſts with all their harneſs to the owner or owners of them, he or they paying the ſaid conſtable, pound-keeper, or pariſh officer, one ſhilling for each beaſt for his care and trouble in keeping the ſame; and that if any perſon ſhall hinder or with force obſtruct the ſeizing or carrying off any ſuch ſeizure or diſtreſs for the aforeſaid offence, or any of them, or ſhall refuſe the ſame, or ſhall uſe any violence to any perſon concerned in making ſuch ſeizure or diſtreſs, every perſon ſo offending ſhall upon due proof made upon oath before any one juſtice of the peace for the county, city, or county of the city or town, where ſuch offence is committed, (which oath ſuch juſtice is hereby impowered and required to adminiſter) forfeit for every ſuch offence the ſum of forty ſhillings to the perſon, who ſhall be obſtructed in making ſuch ſeizure, or in carrying off the ſame, to be levied by diſtreſs and ſale of the offenders goods and chattels by warrant of ſuch juſtice of the peace under his hand and ſeal; and the ſeveral collectors or receivers of the tolls and cuſtoms in the ſeveral cities, towns corporate, market towns, or fairs, or of the ſeveral bridges in this kingdom (for the paſſage over which tolls are paid) are hereby required and impowered to demand and levy from all perſons double the tolls or cuſtoms, they are by the laws now in force or by uſage enabled to receive, who ſhall carry any goods, liable to pay any ſuch tolls or cuſtoms, in or through any city, town corporate, or market town, or fairs, or over any ſuch bridges in this kingdom, upon any car, cart, dray, or waggon, which ſhall not have the wheels thereof of the breadth or gauge of three inches at the leaſt from ſide to ſide at the bottom or ſole when worn, or in caſe the ſtreaks or iron, with which the wheels thereof are bound, ſhall be ſet on with ſprigs or high headed nails: and if it ſhall appear upon due proof made by one credible witneſs upon oath before any one juſtice of the peace for the county, city, or county of the city or town corporate, where ſuch collectors or receivers ſhall be employed

to uſe of perſon named, unleſs payment by owner;

obſtructing ſeizure, 40s. on oath before a juſtice;

by diſtreſs and ſale,

double toll or cuſtom on ſuch carriages with goods liable,

toll collector not obliging payment forfeit 5l. to informer and infirmary,

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ployed to collect the tolls or cuſtoms, (which oath ſuch juſtice is hereby impowered and required to adminiſter) that ſuch collector or receiver of the tolls and cuſtoms hath not obliged the owner or driver of any ſuch car, cart, dray or waggon, to pay ſuch double tolls or cuſtoms for ſuch goods, ſuch collector or receiver, knowingly ſo offending againſt this act, ſhall forfeit the ſum of five pounds for every ſuch offence, to be levied by diſtreſs and ſale of his goods and chattles by the warrant of ſuch juſtice of the peace under his hand and ſeal, one moiety thereof to be for the uſe of the informer and the other for the county infirmary; and that the collectors of the tolls of the ſeveral turnpike gates in this kingdom are hereby impowered and required to oblige the owner or driver of every ſuch car, cart, dray, or waggon, to pay thirteen pence toll at each and every turnpike gate, which if ſuch gate keeper ſhall neglect to do, it ſhall be lawful for any juſtice of the peace of the county, in which ſuch turnpike gate is, by warrant under his hand and ſeal to order any ſum, not exceeding twenty ſhillings, to be levied off the goods and chattles of ſuch gate keeper for every ſuch offence, on due proof being made thereof by one credible witneſs upon oath before ſuch juſtice, (which oath ſuch juſtice is hereby impowered to adminiſter) or upon his own view; and that the owner or driver of any waggon, wain, cart, or carriage with four wheels, the breadth thereof being not leſs than ſix inches at the ſole or bottom thereof, and the ſtreaks thereof being ſet on with flat headed nails, and the fore axle tree of ſuch waggon, wain, or cart, or carriage being ſo much ſhorter than the hind axle tree, that the wheels of ſuch carriage ſhall roll at leaſt ten inches of the road in breadth on each ſide of ſuch carriage, and the wheels thereof placed at ſuch a diſtance from each other, that the ſpace between the middle of the one track, made by ſuch wheels on the road, and the middle of the other track, ſhall be from four feet ten inches to five feet, ſhall not be obliged to pay more than two pence toll for any ſuch waggon, wain, cart, or carriage with four wheels, at any turnpike gate for paſſing on any turnpike road in this kingdom in the ſame day; and that the owner or driver of any cart with two ſuch wheels, drawn by not more than two horſes, mares, geldings, or mules, or of any car or cart with two wheels, the breadth thereof being four inches at the bottom or ſole when worn, and the ſtreaks thereof being ſet on with flat headed nails, ſhall not be obliged to pay more than one penny toll for ſuch cart or car with two wheels, drawn by not more than one horſe, mare, gelding, or mule, at any turnpike gate, for paſſing on any turnpike

1 3d. toll at each turnpike for ſuch carriage;

penalty on gate keeper 20s.

4 wheeled carriages, not leſs than 6 inches broad, ſet on with flat nails, rolling 10 inches each ſide, middle ſpace from 4 feet 10 inches to 5 feet, pay only 2d. turnpike ſame day,

2 wheeled with 2 horſes, or cars with wheels 4 inches broad, with flat nails, pay only 1d. turnpike,

turnpike road in this kingdom the ſame day; it being the intention of this act that the owners or drivers of ſuch carriages with four wheels and with two wheels ſhall not be obliged to pay more than once in the ſame day at any gate or gates on the ſame turnpike road, or diviſion of ſuch turnpike road, upon their producing to the gate keeper or gate keepers of ſuch gate or gates a ticket from the gate keeper of the firſt gate they have paſſed through.

to pay only once a day, producing ticket from 1ſt gate;

XV. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of any county at the aſſizes to preſent, that ſuch ſum or ſums of money, as they ſhall think neceſſary, ſhall be raiſed upon ſuch county at large to be expended in building, rebuilding, enlarging, or repairing the ſeſſions houſe, gaol, work houſe, or houſe of correction, or any bridge or part of a bridge, or any gullet or pipe under any road, or any wall or part of a wall, neceſſary to the ſupport of any road in ſuch county, or for the gravelling or filling over any ſuch bridge, gullet, or pipe; and alſo for the wages of the overſeer of any ſuch work, not exceeding twelve pence for each pound to be by him expended agreeable to ſuch preſentment.

County preſentment for ſeſſion, gaol, or work-houſe, bridge, gullet, pipe, or wall, for any road, or for filling over;

and overſeers wages not above 12d. *per* l.

XVI. Provided that no money ſhall be ſo preſented, unleſs it ſhall appear by the affidavit of two credible perſons, who can read and write, ſworn before one of the judges of aſſize, or before any two juſtices of the peace of ſuch county, that the ſum therein required is a reaſonable charge, and that the work is neceſſary, and cannot be effectually executed for a ſmaller ſum, to the beſt of their judgment; and provided that if the affidavit ſhall be for building a new ſeſſions houſe, gaol, work houſe, or houſe of correction, or bridge, or for rebuilding an old one, that then and in ſuch caſe a plan and eſtimate of the work ſhall be annexed to ſuch affidavit, in which the following words ſhall alſo be inſerted after the words ſmaller ſum *according to the plan and eſtimate hereunto annexed*; and that no preſentment for any new bridge ſhall be confirmed by any judge of aſſize, unleſs it ſhall firſt appear to ſuch judge, that an affidavit and eſtimate for ſuch new bridge had been laid before the grand jury of ſuch county at the laſt aſſizes, and ſhall be certified by the foreman of ſuch grand jury, that the ſame had been laid before and read unto ſuch grand jury; but this ſhall not extend to new bridges preſented inſtead of old ones, which were carried away or deſtroyed; and that the whole ſum of money ſo preſented for ſuch work ſhall not be paid by the treaſurer of any county on account of any ſuch preſentment, until it ſhall appear to the grand jury, and to the judge

on affidavit by 2 literate before a judge or 2 juſtices of charge reaſonable and work neceſſary;

if for new or re-building, eſtimate annexed;

foreman's certificate of affidavit and eſtimate for new bridge, except where the old deſtroyed,

preſentment not paid without 1 overſeer's affidavit of

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judge of aſſize, by the affidavit of one of the overſeers appointed for ſuch work, who can read and write, ſworn before one of the judges of aſſize, that the ſaid ſum ſo accounted for hath been faithfully and honeſtly expended in the execution of the work, for which ſuch money was granted by ſuch preſentment, to the beſt of his ſkill and judgment; and until the ſaid account hath been allowed by the grand jury, and by the judge of aſſize; and that where any preſentment exceeding one hundred pounds ſhall be granted for the building, rebuilding, or repairing of any ſeſſion houſe, gaol, workhouſe, or houſe of correction, or any bridge, in ſuch caſe the judge of aſſize is hereby impowered to order ſuch part of any ſuch preſentment to be paid by the treaſurer to the overſeer, on the overſeer's affidavit being allowed by the grand jury, that as much of the work is done according to the preſentment, as amounts to the ſum required; which ſum is hereby limited not to exceed two thirds of the preſentment; provided that the overſeer gives ſecurity before one of the judges of aſſize to finiſh the work purſuant to the preſentment.

account and expenditure, and allowed,

where preſentment above 100l. for ſeſſion, gaol, workhouſe, or bridge, on overſeer's affidavit of part done, payment ordered, not above 2-3ds, and on ſecurity to finiſh.

XVII. And be it further enacted by the authority aforeſaid, that it ſhall not be lawful for the grand jury of any county to preſent more than half the ſum, that ſhall appear to them by the affidavit of two credible perſons, ſworn before the judge of aſſize, or before any two juſtices of the peace of ſuch county, to be neceſſary for the building, rebuilding, or repairing of any bridge, gullet or pipe, or for the filling or gravelling over the ſame, which is the boundary between ſuch county and any adjoining county, and half the overſeers wages, to be raiſed upon ſuch county; and that in the affidavits to be made, before the money can be ſo preſented or accounted for, inſtead of the words *(in ſaid county)* ſhall be inſerted theſe words: *(which is the boundary between this county and the county of*) and that no money ſhall be paid by the treaſurer of any county on account of ſuch preſentment, unleſs it ſhall alſo appear to the grand jury and to the judge of aſſize, that an equal ſum hath been preſented to be raiſed for ſaid work on the adjoining county; and that any juſtice of the peace of any county in this kingdom, having an eſtate of freehold in lands, tenements, or hereditaments, of the clear yearly value of one hundred pounds at leaſt within ſuch county, may under his hand and ſeal order any ſum not exceeding five pounds to be expended in repairing any bridge on a publick high road, ſeſſion houſe, houſe of correction or gaol, within ſuch county, which may be ſuddenly damaged, and which ought to be repaired by ſuch county; provided

Where bridge, gullet, or pipe, a county boundary, half preſentment,

on equal preſentment on adjoining county,

1 juſtice of 100l. a year freehold in the county may order 5l. to repair ſudden damage to bridge, gaol, &c. on affidavit by 2 of prejudice by delay,

vided it ſhall appear to him by the affidavit of two credible perſons, who can read and write, that the repair of ſuch bridge, ſeſſion houſe, houſe of corection, or gaol, cannot be delayed to the next aſſizes without prejudice to the county, as they verily believe; which affidavit the ſaid juſtice is hereby empowered to take, and the ſaid juſtice may alſo appoint proper overſeers to repair the ſame; and the grand jury of every ſuch county is hereby impowered to raiſe by preſentment at the next aſſizes, the ſum ſo expended in repairing any ſuch bridge on a publick high road, ſeſſion houſe, houſe of correction, or gaol, upon any ſuch county at large, to be paid to the overſeer or overſeers, ſo appointed by ſuch juſtice, upon his or their producing to them ſuch affidavit as is before mentioned, and ſuch warrant under the hand and ſeal of the ſaid juſtice, as alſo an affidavit ſworn by one or more of ſuch overſeers before the judge of aſſize, that he or they have faithfully and honeſtly expended the ſum ſpecified in ſaid affidavit in repairing ſuch bridge, ſeſſion houſe, houſe of correction, or gaol; and that any juſtice of the peace qualified as aforeſaid upon the affidavit of two ſubſtantial houſholders, who can read and write, may in like manner order any ſum of money, not exceeding the ſum of forty ſhillings, to be expended in repairing any hole or bad ſtep which may happen in any road by a ſudden fall of rain or other accident, and may appoint an overſeer to repair the ſame; and the grand jury of every county are hereby impowered to raiſe by preſentment upon the barony, in which ſuch road is, the ſum ſo expended, on ſuch overſeers performing ſuch requiſites as the above mentioned overſeers of bridges are required to perform; provided that no juſtice of the peace ſhall make or have authority to make above one ſuch order for any bridge or road between aſſizes and aſſizes, nor for any road in any barony in which he has not a freehold of the clear yearly value of one hundred pounds; and alſo that no money ſhall be paid by any treaſurer to any overſeer appointed by any juſtice of the peace in manner aforeſaid, unleſs it ſhall firſt appear to the grand jury and judge of aſſize by the affidavit of ſuch juſtice, that he viewed ſuch bridge or road, before he gave any orders for repairing the ſame, and that the repair thereof ſeemed to him neceſſary to be made; and that he viewed the ſame, ſince it was repaired, and that the work ſeemed to him to have been well executed, and the whole of the money to have been honeſtly expended, and that he has an eſtate of freehold in the county (if the order was for a bridge, gaol, ſeſſion houſe, or houſe of correction) or in the barony (if the order was for a road) of the clear

and appoint overſeers,

preſented on county next aſſizes, on ſaid affidavit, warrant, and affidavit of expenditure,

and on affidavit of 2 houſeholders, 40s. for repairing accidental bad ſteps in a road,

preſented on barony,

but 1 ſuch order by 1 juſtice between aſſizes.

having 100l. a year freehold in the barony,

and his affidavit of viewing before order and ſince repair, and of expenditure, and eſtate, and of only one order ſince laſt aſſizes.

clear yearly value of one hundred pounds, and that he made only one ſuch order ſince the laſt aſſizes.

on overſeer's death before account, and affidavit of expenditure allowed, paid with wages if preſented.

XVIII. And be it further enacted by the authority aforeſaid, that whenever the overſeer, appointed by the grand jury for any work preſented to be done, ſhall happen to die, before he has accounted for the ſame, and after a part or the whole of the money preſented for the ſame hath been expended by him in the execution thereof, that in caſe an affidavit ſworn by any credible perſon, who can read and write, before the judge of aſſize, in the form preſcribed by this act for the overſeer to have ſworn, be allowed by the grand jury and judge of aſſize; in which affidavit, inſtead of the words *(I have faithfully and honeſtly expended)* may be inſerted theſe words, *(to the beſt of his belief and opinion was expended by who is now dead)* the money declared by ſaid affidavit to have been expended, together with the wages (if preſented) ſhall be paid by the treaſurer, any thing herein contained to the contrary notwithſtanding.

Re-preſentment of money in treaſurer's hands on other work in the barony or county.

XIX. And be it further enacted by the authority aforeſaid, that whenever it ſhall happen, that any ſum of money preſented to be raiſed ſhall not be expended agreeable to ſuch preſentment, and accounted for within a reaſonable time after ſuch preſentment was made, that then it ſhall and may be lawful for the grand jury of the ſaid county to repreſent ſuch ſum of money then in the treaſurer's hands to be expended on ſome other work in the barony, upon which the former ſum was preſented to be raiſed, or in the county if it was raiſed upon the county at large.

Perſons having ferry, except cities and corporations, may erect a bridge at their expence, and take like toll.

XX. And that it ſhall be lawful for any perſon or perſons, who now have or hereafter ſhall have any ferry over any river, except in cities and towns corporate, to erect and ſupport a bridge at his or their own expence over ſuch river in the place of ſuch ferry, and to take and receive for paſſing ſuch bridge ſuch toll, and no more, as they are intitled to receive for paſſing ſuch ferry.

No materials raiſed on ſea ſhore, a publick road, or bulwark,

XXI. And be it enacted by the authority aforeſaid, that it ſhall not be lawful to or for the overſeer or overſeers of any road, bridge, or wall, to ſearch for, dig, raiſe, or carry away any gravel, ſtones, ſand, or other materials from any beach or ſea ſhore, which is a publick road, or a bulwark, or defence to any towns or publick roads adjoining the ſame; and that every perſon, who ſhall be convicted thereof on the oath of any one credible witneſs before any one juſtice of the peace within his juriſdiction, ſhall for every ſuch offence forfeit the ſum of five ſhillings for every cart load or car load of ſuch gravel, ſtones, ſand,

penalty 5s. *per* load on oath of 1 witneſs.

or

or other materials ſo dug, raiſed, or carried away, any thing in this act to the contrary notwithſtanding.

XXII. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of any county at the aſſize by preſentment to raiſe ſuch ſum of money, as they ſhall think fit, not exceeding five pounds on ſuch county at large for paying a ſecretary for his trouble in drawing and entering the preſentments, and attending ſuch grand jury during ſuch aſſizes; and alſo any ſum of money not exceeding five pounds for an interpreter at ſuch aſſizes; and alſo any ſum of money not exceeding ten pounds in the whole to be paid to the clerk of the crown in lieu of fees for perſons diſcharged at quarter ſeſſions and aſſizes, and for his attendance at ſuch aſſizes; and alſo any ſum of money not exceeding ten pounds in the whole, to be paid to the clerk of the peace of ſuch county for his trouble in executing the ſaid office; and alſo any ſum of money not exceeding one hundred pounds in the whole for an accurate ſurvey and map of ſuch county; and alſo any ſum of money that ſhall be neceſſary for paying one half year's rent of the court houſe or ſeſſions houſe, gaol, workhouſe, or office for keeping the records of ſaid county in, where ſuch office is taken and rented for that purpoſe by the grand jury; and alſo any ſum of money not exceeding twenty pounds in the whole for the building or repairing of gallowſes, or for bolts, ſhackles, ſtocks, whipping poſts, ducking ſtools, or pillories, or for cleanſing of neceſſary houſes of gaols, or for mile ſtones, or finger poſts; and alſo any ſum of money that ſhall be neceſſary for the expence of conveying of any priſoner accuſed of capital offences to the county gaol, ſo as the ſame do not exceed the ſum of ſix pence for each mile, every ſuch priſoner ſhall be ſo conveyed to ſuch county gaol; and alſo for the recovering of publick money from treaſurers, collectors, or receivers, their executors, adminiſtrators, or ſureties, upon ſuch bills of coſt being laid before the grand jury, and verified by affidavit ſworn in court.

County preſentment for ſecretary not above 5l.

and for interpreter,

10l. for crown clerk for fees on diſcharge, and attendance at aſſizes,

10l. to clerk of peace,

100l. for ſurvey & map, *altered* 17 & 18 *G.* 3. *c.* 22. *ſ.* 10.

half years rent for office for records,

20l. for gallows, bolts, &c.

and ſums for conveying priſoners to gaol, not above 6d. per mile,

for recovering publick money, on coſts verified by affidavit in court.

XXIII. Provided always, that no ſum of money ſhall be paid by the treaſurer of any county for or upon account of any ſuch preſentment, (except for the ſalaries of the ſecretary to the grand jury, the clerk of the crown, and of the clerk of the peace, or for rent) until it ſhall appear to the grand jury and to the judge of aſſize by the affidavit of one of the perſons, to whom ſuch ſum was granted, ſworn before one of the judges of aſſize, that ſuch ſum hath been faithfully and honeſtly expended, agreeable to the preſentment by which ſuch ſum was granted.

No payment without affidavit of expenditure,

ſalaries and rent excepted.

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G. juries yearly to appoint high conſtables where heretofore, and 4 ſub. each barony, to aſſiſt, and preſerve peace,

may preſent 8l. for ſuch 4 on certificate of qualifying as by 2 *Anne*, c. 6.

XXIV. And be it further enacted by the authority aforeſaid, that the grand jury of each county ſhall every year appoint a proper perſon to be high conſtable for each barony or half barony in ſuch county, for which high conſtables have been heretofore appointed; and ſhall alſo appoint four proper perſons to be ſub-conſtables for every ſuch barony or half barony to aſſiſt in carrying this act into execution, and to preſerve the peace at the aſſizes, ſeſſions, and elections, and at all times in ſuch county; and may, if they ſhall think proper, at each aſſizes preſent any ſum not exceeding eight pounds to be raiſed upon ſuch barony or half barony, to be paid to ſuch four ſub-conſtables for their trouble in executing ſaid office by the treaſurer of ſuch county upon their producing to him a certificate from the clerk of the peace of ſuch county, that they had at ſome quarter ſeſſions, or adjournment thereof for ſuch county ſince their appointment to ſuch office duly qualified themſelves, agreeable to an act paſſed in the ſecond year of her late Majeſty queen Anne, intitled, *An act to prevent the further growth of popery*.

appoint collectors of preſentments,

And that the grand jury of every county may at each aſſizes appoint a proper perſon to collect the money preſented to be raiſed upon each barony or half barony in ſuch county, as alſo the proportion of ſuch barony or half barony preſented to be raiſed on the county at large, and

9d. *per* £. wages on treaſurer's certificate of payment, and collector's bond with 2 ſureties, approved at aſſizes or ſeſſions, for collecting and paying by 2d day of next aſſizes,

may preſent any ſum not exceeding nine pence in the pound, to be raiſed and paid as wages for collecting the ſame on producing the treaſurer's certificate of his having paid the ſame purſuant to his recognizance; provided, that the ſaid ſum preſented as wages ſhall not be raiſed, unleſs the perſon or perſons, who ſhall ſo collect, ſhall enter into a bond with warrant of attorney with two ſufficient ſureties to the treaſurer of the county, to be approved by the grand jury at the aſſizes, or by the juſtices of the peace at the quarter ſeſſions, for the collecting and paying of all ſuch publick money, as he or they are required to collect, to ſuch treaſurer on or before the ſecond day of the next aſſizes; and that every collector appointed as aforeſaid may by writing under his hand and ſeal appoint a deputy collector or deputy collectors to aſſiſt him in collecting the publick money, for whom he ſhall be anſwerable; and in caſe the grand jury ſhall neglect or omit to appoint a collector for any barony in ſuch county, or that a collector being appointed ſhall fail to give the ſecurity required, the high conſtable of ſuch barony ſhall to all intents and purpoſes be deemed the collector within his diſtrict; and ſhall in like manner on giving the ſecurity aforeſaid, and not otherwiſe, be intitled to receive the ſum preſented as wages

collectors may appoint deputies for whom anſwerable,

high conſtable collector on failure of appointment or ſecurity,

and on ſecurity receive wages preſented,

for

for his trouble in collecting ſuch publick money; and the ſeveral conſtables of each county are hereby required to aid and aſſiſt the collector or collectors, deputy collector or deputy collectors, or high conſtable of ſuch county, in collecting the publick money ſo preſented to be raiſed in ſuch county, as alſo all perſons impowered to levy publick money; which, if any conſtable ſo required ſhall refuſe to do, every ſuch conſtable ſo refuſing ſhall upon conviction by the oath of two credible witneſſes before any two juſtices of the peace of the county, city, or town corporate, where ſuch offence ſhall be committed, forfeit for every ſuch offence a ſum not exceeding ten pounds, to be levied together with the charges by diſtreſs and ſale of the goods of the offender by warrant of any two juſtices of the peace for ſuch county, city, or town corporate, where ſuch offence ſhall have been committed; and that all perſons, impowered to levy or collect publick money, ſhall, and may, and are hereby impowered to levy the ſame by diſtreſs and ſale of the goods and chattles of all ſuch perſons, who ſhall refuſe to pay the ſame, and after the ſale of ſuch diſtreſs to retain the money which the ſaid perſon ought to pay, rendering the overplus (if any) after deducting one ſhilling in the pound for the trouble of levying the ſame, or one ſhilling for every warrant.

conſtables to aſſiſt in levying publick money.

refuſing 10l. on 2 witneſſes before 2 juſtices,

levied with charges by diſtreſs and ſale.

XXV. And be it further enacted by the authority aforeſaid, that the clerks of the crown reſpectively throughout this kingdom ſhall file and keep amongſt the records of each county within his province all affidavits, maps, plans, and eſtimates made purſuant to this act, and ſhall within four days after every aſſizes deliver to the treaſurer of each county without fee or reward copies of all the preſentments made at ſaid aſſizes, and alſo of all queries diſcharged at the ſame, ſigned by himſelf, and for every default thereof, that he ſhall forfeit the ſum of five pounds, to be recovered by any perſon who ſhall ſue for the ſame by civil bill; and ſuch clerk of the crown ſhall alſo at every aſſizes deliver to the grand jury a true and faithful return of all queries and preſentments, which have not been duly accounted for and diſcharged; and if he ſhall wilfully neglect ſo to do, he ſhall upon conviction thereof by evidence to the ſatisfaction of the court be incapable of acting in the ſaid office for the future. And that the treaſurer of every county ſhall give copies of ſuch preſentments, as he ſhall receive from the clerk of the crown, to any of the overſeers mentioned in ſuch preſentment, or to their order, on demand, or within ten days after ſuch overſeer ſhall apply to him for the ſame, without fee or reward; and that every treaſurer ſhall make up his accounts upon

Crown clerks to file affidavits, maps, plans, eſtimates,

and in 4 days after aſſizes give treaſurer copies of preſentments and diſcharged queries ſigned,

penalty 5l. by civil bill,

return queries and preſentments not accounted & diſcharged.

diſabled on neglect,

treaſurer on demand, or in 10 days to give overſeers copies of preſentments,

account on oath every aſſizes,

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upon oath of all his receipts and payments at every aſſizes, and lay them fairly written the laſt day of the ſaid aſſizes, or ſooner if required, before the grand jury of ſuch county where he is appointed treaſurer, to be viewed, allowed, or diſapproved of by the ſaid grand jury, who ſhall cauſe the ſame to be entered in the county book, with ſuch remarks as they ſhall think fit to make thereon; and that no treaſurer ſhall compound for any money to be raiſed on the publick, nor make any deductions whatſoever for any ſum, he ſhall pay to any perſon, but ſuch as he ſhall account for; and if the treaſurer of any county ſhall offend herein, or neglect to make up his accounts as aforeſaid, or to keep an office open every day (Sundays only excepted) for the ſpace of fourteen days immediately next after every aſſizes, from the hours of nine in the morning 'till three in the afternoon, in the town wherein the aſſizes were laſt held, or ſhall during that time refuſe to pay the amount of all ſuch queries, as ſhall have been diſcharged, if demanded, without fee or reward (if he ſhall have publick money to pay the ſame) he ſhall be fined by the judge of aſſize, or be committed without bail or mainprize to the county gaol at the diſcretion of ſuch judge of aſſize.

laid before G. jury the laſt day or ſooner if required.

booked with remarks,

make no compoſition or deduction,

neglecting herein, not keeping office open 14 days next where laſt aſſizes from 9 'till 3,

refuſing to pay queries diſcharged, having money,

fined or impriſoned.

XXVI. And be it further enacted by the authority aforeſaid, that the treaſurer of each county ſhall, within one month after he ſhall have received ſuch copies of the preſentments, iſſue his warrants to the ſeveral perſons, who under the proviſion in this act are to be the collectors for levying and collecting the ſums to be raiſed off each barony or half barony, in order to anſwer the preſentments made at ſuch aſſizes; which ſums every perſon, to whom ſuch warrant is directed, is hereby impowered and required to raiſe and levy, and to pay to the treaſurer on or before the ſecond day of the next aſſizes; and in caſe any perſon ſhall refuſe to pay his or her proportion thereof, ſuch perſon, as ſhall be impowered to collect the ſame, ſhall and may levy the ſame by diſtreſs and ſale of the goods and chattles of ſuch perſon, rendering to him or her the overplus, if any, after deducting thereout at the rate of twelve pence for each pound for his trouble in making ſuch diſtreſs; and in every ſuch warrant ſhall be inſerted the names of the ſeveral manors, pariſhes, or denominations, contained in that portion of the county, which ſuch perſon is to collect from, as the ſame is contained in the county book, and alſo the whole ſum to be collected by ſuch perſon, and the portion thereof which each manor, pariſh, or denomination is to pay, according to its contents in the county book, or as it has been uſually rated at.

Treaſurer in 1 month after receiving copies of preſentments, ſhall iſſue warrants to collectors,

levied and paid to treaſurer by 2d of next aſſizes,

on refuſal levied by diſtreſs and ſale,

fee 12d *per £.*

to inſert in warrant names of the manors &c. the whole to be collected, and portion of each, as in county book or uſually rated.

XXVII. And

XXVII. And whereas it has been found very difficult in many caſes to aſcertain the proportion, each perſon is to pay; whereby much obſtruction has ariſen to the collection of the money required by the treaſurer's warrant to be levied: therefore be it enacted by the authority aforeſaid, that every perſon impowered to receive the ſame, to whom ſuch warrant ſhall be ſent, ſhall, within ten days after he ſhall have received ſuch warrant, deliver or ſend to the ſeneſchal, rector, vicar, curate, or church wardens of each manor, pariſh, or denomination of land mentioned in ſuch warrant, or in caſe there be no ſeneſchal, rector, vicar, or curate, or, church warden of the ſame, then to any principal reſiding inhabitant (if he ſhall be required ſo to do by any two landholders of any ſuch manor, pariſh, or denomination of land, or if he ſhall find it neceſſary ſo to do) an account in writing ſigned by himſelf, of the ſum he is required by the ſaid warrant to levy upon the ſaid manor, pariſh, or denomination, and to deſire that the ſaid ſum may be applotted thereon; and every perſon, who ſhall receive ſuch account, is hereby required under the penalty of ten pounds, to be recovered by civil bill before the judges of aſſize by any perſon who ſhall ſue for the ſame, to poſt up within ſix days after receipt thereof on the door of the church, or any other conſpicuous place in ſaid manor, pariſh, or denomination, a notice ſigned by himſelf, ſetting forth, that the landholders and inhabitants of

are hereby required to meet at

on the day of to chuſe two or more perſons to applot the ſum of required to be levied upon ſuch manor, pariſh, or denomination, by the warrant of the treaſurer of this county: at which meeting the landholders and inhabitants then preſent ſhall chuſe two or more perſons to be applotters, and the perſons ſo choſen ſhall applot the ſame fully and juſtly, as ſoon as they conveniently can; and ſhall upon the back of or underneath their applotment make oath before any juſtice of the peace for ſuch county, that they have made the ſaid applotment juſtly according to the beſt of their ſkill without favour, affection, or malice: and ſhall within thirty days after being ſo choſen deliver the ſame to the perſon, who is impowered to collect the ſame, under the penalty of forfeiting for every day they ſhall omit to deliver the ſame after the ſaid thirty days the ſum of ten ſhillings, to be recovered by civil bill before the judge of aſſize by any perſon who ſhall ſue for the ſame; and the collector on receiving ſuch full and ſufficient applotment is hereby authorized and required to levy

Collector in 10 days after receiving warrant ſhall ſend to the ſeneſchal, rector, &c. of each manor or pariſh therein (if none, to any principal reſident if required by 2 landholders or if neceſſary) an account ſigned of ſum required, and deſire applotment, notice thereof ſigned, requiring meeting to chuſe applotters, poſted in 6 days, penalty 10l. by civil bill,

applotters then choſen,

applotment on oath before a juſtice,

delivered in 30 days to collector,

or 10s. per day by civil bill, levied thereon,

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levy the ſaid money according thereto; and alſo any ſum of money, not exceeding ten ſhillings for the applotters fees, by diſtreſs and ſale of the goods of every perſon refuſing to pay the proportion therein applotted for him or her to pay; rendering the overplus, if any, to the owner; and in caſe no full and ſufficient applotment ſhall be returned, within thirty ſix days after ſuch account was ſent or delivered, then in ſuch caſe it ſhall be lawful for the collector, or his deputy, or the high conſtable, into ſuch manor, pariſh, or denomination to enter and diſtrain the whole or any part thereof, and by ſale of ſuch diſtreſs to levy the full ſum he is required by the treaſurer's warrant to levy upon ſuch manor, pariſh, or denomination; and that it ſhall be lawful for the grand jury of any county at any aſſizes held for the ſame to preſent all ſuch ſums of money, as now are or at any time hereafter ſhall be unpaid or in arrear, out of any barony or half barony, to be raiſed and levied on ſuch barony or half barony, which the ſame was originally required by the treaſurer's warrant to be levied upon, if they think fit, and to preſent all ſuch ſums of money, which have hitherto been or at any time hereafter ſhall remain unpaid on account of the abſconding or inſolvency of any collector, or other perſon impowered to collect or receive publick money, who is or ſhall be inſolvent, to be raiſed and levied either upon the county or upon the barony or half barony, in which the ſame was before levied, if they think fit; which ſums ſhall be levied in the ſame manner, and ſubject to the ſame rules, regulations, proviſions, and powers, as the money to be levied by virtue of this act is to be ſubject; and in caſe any money ſo detained or ſecreted by any collector, treaſurer, or other perſon impowered to collect or receive publick money, ſhall be hereafter recovered, it ſhall be paid to the then treaſurer, and be preſented by the grand jury to be expended in executing ſome work or works in the ſaid county at large, or barony or half barony, which are ſo charged, ſuch as grand juries have power to preſent on the county, barony, or half barony reſpectively. And that if it ſhall appear to any judge upon due proof by two credible perſons upon oath at any aſſizes within one year after any quere, or any preſentment by which money was granted, has been diſcharged, that the court was deceived by any affidavit for diſcharging ſuch quere, and that the money was not expended agreeable to the preſentment, the judge of aſſize may, notwithſtanding ſuch quere was diſcharged, fine or iſſue proceſs in ſuch caſe againſt the overſeer or overſeers mentioned in ſuch preſentment,

and 10s. fees, if no full applotment in 36 days after account ſent, the whole or any part of ſuch denomination diſtrained for the full ſum,

preſentment for arrears on the barony,

if by collector's inſolvency, on the county or barony.

levied as by this act,

if after recovered, paid to then treaſurer, preſented for publick works in the county or barony charged,

on oath by 2 within 1 year after quere diſcharged of deceit by affidavit, fine or proceſs againſt overſeers as if quere not anſwered,

ment, as if the quere had not been anſwered. And that if any lordſhip, manor, or pariſh, ſhall be ſo large, that one conſtable ſhall not be ſufficient to do the whole office of conſtable within the ſaid lordſhip, manor, or pariſh, it ſhall be lawful to make and appoint two or more conſtables for ſuch lordſhip, manor, or pariſh in ſuch manner, as ſuch one conſtable was formerly appointed for the ſame; which ſaid new conſtable or conſtables ſhall have ſuch and the ſame power and authority, as any other conſtable hath or by the laws of this realm ought to have.

in large manor or pariſh 2 or more conſtables appointed.

XXVIII. And be it further enacted by the authority aforeſaid, that if any collector, appointed by the grand jury of any county, ſhall happen to die, before he ſhall have collected the publick money, it ſhall be lawful for the juſtices of the peace of ſuch county at the quarter-ſeſſions, or any adjournment thereof, to appoint another fit and proper perſon to collect the publick money in the place of ſuch collector deceaſed upon his giving ſufficient ſecurity to perform the requiſites aforeſaid, until a collector ſhall be appointed by the grand jury of ſuch county aforeſaid.

Collector dying before receit, another at ſeſſions on ſecurity till one appointed by grand jury.

XXIX. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for any perſon, who ſhall think himſelf or herſelf aggrieved by the preſentment of any grand jury, to enter one or more traverſe or traverſes in open court to ſuch preſentment; which traverſe or traverſes ſhall be tried immediately or at the next aſſizes.

Preſentment may be traverſed,

tried immediately or next aſſizes.

XXX. Provided always, that ſuch traverſe may be tried upon the entry of any preſentment in the crown book, and the traverſe taken thereto, without making up any record for the purpoſe, ſo that ſuch entry in the crown book be ſufficient in ſubſtance, though it may be defective in point of form. And that every overſeer, appointed by the grand jury for making or repairing any publick road or wall neceſſary for the ſupport of any road, ſhall be impowered to dig for, raiſe, and carry away any gravel, ſtones, ſand, or other materials, which may be wanted for the building, rebuilding, enlarging, or repairing of any bridge, gullet, pipe, or wall neceſſary for the ſupport of any road, or for the making, repairing, or preſerving of any road, whether it be in ſuch county or adjoining county, and to make drains, in order to carry off the water that may injure any bridge, gullet, pipe, wall, or road, in or through the lands of any perſon not being a deer park, green, orchard, haggard, or yard, or in the planted walk, avenue, or lawn, to the manſion houſe of any perſon,

On entry in crown book, if ſufficient in ſubſtance, tho' not in form,

overſeer may raiſe materials in that or adjoining county,

and make drains,

not thro' deer park, green, &c

person, and to carry away the ſaid materials; and that ſuch overſeer ſhall make ſuch ſatisfaction to the owner or occupier of the land, for what damage may be done thereby, as ſhall be aſſeſſed by three ſubſtantial houſeholders of the county, in which he was appointed overſeer, one to be named by each of the parties, and the third by the next, or any neighbouring juſtice of the peace, who ſhall be ſworn by ſuch juſtices of the peace to be appraiſers of ſuch damages, and to make a true eſtimate of ſuch damages, to the beſt of their ſkill; and that if any perſon ſhall obſtruct or prevent ſuch overſeers in digging for, raiſing, or carrying away ſuch materials, or in making ſuch drains, ſuch perſons ſhall upon conviction by oath of one credible witneſs before any one juſtice of the peace of ſuch county, city, or town corporate, where ſuch offence ſhall have been committed, forfeit for every ſuch offence a ſum not exceeding five pounds; to be levied together with the charges by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace of ſuch county, city, or town corporate, where ſuch offence ſhall have been committed.

ſatisfying owner or occupier, as aſſeſſed by 3 houſeholders, 1 by each and a juſtice, ſworn to appraiſe,

obſtructing overſeer, 5l. on 1 witneſs,

by diſtreſs and ſale with charges.

XXXI. And that a ſufficient recompence may be made to any perſon injured by the taking of any ſuch materials, as ſhall be neceſſary for the building, rebuilding, enlarging, or repairing of any bridge, gullet, pipe, or wall, neceſſary for the ſupport of any road, be it further enacted by the authority aforeſaid, that the eſtimate of ſuch damages as aforeſaid, made by the perſons appointed for that purpoſe, and ſworn to by them before two juſtices of the peace of ſuch county, may be laid before the next grand jury of ſuch county, who may preſent ſuch ſum or ſums of money, as they ſhall think a ſufficient recompence for ſuch damages as aforeſaid, not exceeding the ſum ſo eſtimated, to be raiſed off the county at large, and paid to ſuch perſons by the treaſurer of ſuch county; and that every ſuch overſeer may give notice to the owner or occupier of the land adjoining to the roads, he is appointed to overſee, to ſcour the drains or ditches, or to cut or clip the hedges by the ſides of ſuch roads at a height not exceeding five feet, which if the owner or occupier ſhall neglect to do within ten days after the ſerving of ſuch notice, any juſtice of the peace of the county, in which ſuch road is, may by warrant under his hand and ſeal order the overſeer of ſuch road to have the ſaid drains or ditches effectually ſcoured, or the hedges cut or clipped; and may by ſuch warrant authorize ſuch overſeer to levy the expence attending thereon off the goods of ſuch owners or occupiers, together with ſuch wages

Appraiſer's eſtimate, ſworn to before 2 juſtices laid before next grand jury,

who may preſent a recompence on the county not exceeding eſtimate,

notice by everſeer to adjoining owner or occupier to ſcour ditches, or clip hedges to 5 feet,

on 10 days neglect done by overſeer on juſtice's warrant, and expence levied with wages not above 18d. per day.

to the ſaid overſeer, as the ſaid juſtice ſhall think fit, not exceeding eighteen pence for each day that the ſaid overſeer ſhall neceſſarily be employed in attending and performing ſuch work.

48 hours after notice by overſeer or ſubconſtable to remove nuiſance within 21 feet of the centre, or make ſewers for obſtructed water, warrant to appear and anſwer complaint in 6 days,

XXXI. And be it further enacted by the authority aforeſaid, that if the owner or occupier of any land or houſe adjoining any publick road, ſhall after notice given to him or her by the overſeer of ſuch road, or by the ſubconſtable of the barony, to remove any dunghill, dirt, rubbiſh, or other nuiſance which may be laid upon any part of ſuch road, oppoſite to his or her land or houſe, or within twenty one feet of the centre of ſuch road, or to make ſewers or pipes for the free paſſage of any water that may be obſtructed by the paſſing of cattle into his or her land, or to his or her houſe from ſuch road, ſo as to injure ſuch road, forty eight hours next after ſervice of ſuch notice perſonally or at his or her houſe or uſual place of abode, that then and in every ſuch caſe the overſeer of the ſaid road, or the ſubconſtable of the barony, or any other perſon, may complain of the refuſal or neglect to remove the ſaid dunghill, dirt, rubbiſh, or other nuiſance, or to make ſuch ſewers or pipes by the ſaid owner or occupier of ſuch land or houſe, to any juſtice of the peace for the county, where the ſaid dunghill, dirt, rubbiſh, or other nuiſance ſhall be laid, and thereupon it ſhall and may be lawful for the ſaid juſtice of peace to iſſue his warrant or ſummons, requiring the party or parties ſo complained of to appear before him at a certain place therein mentioned within ſix days after ſuch ſervice of the ſaid warrant or ſummons to anſwer the ſaid complaint; and the ſaid juſtice ſhall and may in the preſence of the ſaid party or parties complained of, or in his, her, or their abſence, if duly ſummoned, he, ſhe, or they refuſe or neglect to appear at the time and place appointed in ſuch warrant or ſummons, examine into the matter of the ſaid complaint; and if it ſhall be manifeſt to the ſaid juſtice upon ſuch examination by confeſſion of the party, or upon oath of one credible witneſs, that the ſaid complaint was well founded, it ſhall and may be lawful for every ſuch juſtice of the peace, upon every ſuch offence proved as aforeſaid, to fine the owner or occupier of ſuch land or houſe in any ſum not exceeding twenty ſhillings, and by his warrant or warrants to levy the ſame by diſtreſs and ſale of the offenders goods; and the money ariſing by ſuch ſale over and above the amount of the ſaid fine to pay the ſaid owner or occupier of the ſaid land or houſe, and the ſaid fine levied as aforeſaid the ſaid juſtice ſhall apply in manner following, that is to ſay, in the firſt place to defray the expence of removing the ſaid dunghill, dirt, or rubbiſh, or other nuiſance,

if well founded on t witneſs owner or occupier adjoining, fined not above 20s.

by diſtreſs and ſale,

to defray expence,

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ſance, and in making ſuch ſewers or pipes; and the reſidue of the ſaid fine the ſaid juſtice ſhall pay to the miniſter and church-wardens of the pariſh, wherein ſuch dunghill, dirt, rubbiſh, or other nuiſance ſhall have been laid, for the uſe of the poor of the ſaid pariſh.

reſidue to pariſh poor.

To build within 25 feet of centre,

keep dog in 50 yards without 5lb. block,

to lay rubbiſh within 21 feet,

flax dried, weeds, or bricks burnt in 100 yards, lime kiln 50.

turf cut or ſtacked, &c.

XXXII. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall build any houſe or part of a houſe within twenty five feet of the centre of any road, (except in cities or market towns,) or keep any cur, dog, maſtiff, or bull dog, at any houſe within fifty yards of any road, without having a block of wood of the weight of five pounds at the leaſt faſtened to the neck of every ſuch dog, or ſhall lay any turf, dung, dirt, ſtraw, rubbiſh, or the ſcouring of any ditches or drains, or other filth, or any ſtones or timber upon any part of any road, or within twenty one feet of the centre of any road, or ſhall ſteep or dry any flax, or burn any weeds or bricks, within one hundred yards of any road, or build any lime kiln within fifty yards of any road, or ſhall cut any turf, or make any turf ſtack within twenty one feet of the centre of any road, or ſhall pull down any part of any bridge, or injure any mile ſtone or finger poſt, or ſhall dig any pit, or make any ditch, or ſhall build any wall, within fifteen feet of the centre of any road, or put up any ſign poſt or may buſh within twenty five feet of the centre of any road, or ſhall leave any car or cart in the night time from ſun ſet to ſun riſe on any part of any road, or in the ſtreets of any city or town, through which travellers uſually paſs, without leaving a paſſage twenty one feet at leaſt in breadth for travellers, or winnow any corn on any part of any road, or ſhall alter any road, not being firſt authorized ſo to do by due courſe of law, or ſhall leave the carcaſe of any dead horſe, mule, aſs, or other beaſt, or ſkin any dead horſe, mule, aſs, or other beaſt, on any road, or within one hundred yards of the centre of any road, or ſhall lead or drive any car or cart with timber, boards, or iron laid croſſways on ſuch car or cart, or ſcrape the gravel off any road, ſhall upon conviction by the oath of one credible witneſs before any juſtice of the peace of the county, where ſuch offence ſhall be committed, or upon the view of any ſuch juſtice, for every ſuch offence forfeit a ſum not exceeding ten ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace of the county, city, or town corporate, in which ſuch offence ſhall be committed: And that if any perſon ſhall draw any mill ſtone on any road without ſupporting ſuch mill ſtone by a carriage on wheels, ſuch perſons ſhall upon conviction by the oath of one credible witneſs before

on conviction by 1 witneſs before a juſtice of the county, to forfeit not above 10s. by diſtreſs and ſale,

drawing millſtone without wheel carriage 40s.

fore any one juſtice of the peace of the county, where ſuch offence ſhall be committed, forfeit a ſum not exceeding forty ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace of the county, or city, or town corporate, in which ſuch offence ſhall be committed; and that if any perſon ſhall draw any timber, boards, or ſticks, without ſupporting the ends of ſuch timber, boards, or ſticks on a carriage or carriages on wheels of the breadth of three inches at the leaſt on any road, which was made or repaired with money granted by the grand jury of any county or turnpike board, ſuch perſon ſhall upon conviction by the oath of one credible witneſs before any one juſtice of the peace within his juriſdiction, or upon the view of ſuch juſtice, forfeit a ſum not exceeding five ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of ſuch juſtice, and alſo ſuch timber, boards, or ſticks, to the perſon who ſhall ſeize the ſame; and that the grand jury at any aſſizes may preſent any houſe or part of a houſe, or lime kiln, hereafter built contrary to the intent of this act, to be pulled down, or that any juſtice of the peace within his juriſdiction may by his warrant order any dog kept contrary to the intent of this act to be killed, or any pit or ditch to be filled up or levelled, or any wall to be thrown down, that ſhall be hereafter made or built contrary to this act, as alſo the neceſſary expence attending thereon, to be levied by diſtreſs and ſale of the offenders goods and chattles; and that any perſon may take and carry away all ſuch turf, dung, dirt, ſtraw, or rubbiſh, corn, filth, ſcouring of ditches or drains, or ſtones, as he ſhall find ſo laid upon any part of any road, or within twenty one feet of the centre of any road, and apply the ſame to his own uſe, and may kill any dog, that ſhall be kept contrary to this act, without being ſued or proſecuted for ſo doing.

timber, &c. without 3 inch wheels 5s. and the timber, &c.

ſuch houſe or lime kiln preſented,

dog killed,

pit or wall levelled,

and rubbiſh &c. ſeized to the perſon's uſe.

XXXIII. And be it further enacted by the authority aforeſaid, that every landholder or occupier of land, who ſhall lay, or cauſe or ſuffer to be laid, upon his land within three miles of any city, or within one mile of any town corporate in this kingdom, for manure or any other purpoſe any filth, offals, or blood, or the ſcrapings of ſlaughter houſes or of ſhambles, or the emptyings of privies, without immediately covering the ſame with ſuch quantities of lime or earth, as ſhall be ſufficient to prevent any annoyance therefrom, ſhall upon the view of any juſtice of the peace within his juriſdiction, or upon the information of one credible witneſs, forfeit the ſum of five pounds for every ſuch offence, to be levied by diſtreſs and ſale of the goods and chattles of the offender,

Laying on land in 3 miles of city, 1 of town corporate, any filth without covering with lime or earth, 5l.

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offender, by the warrant of ſuch juſtice of the peace within his juriſdiction under his hand and ſeal.

Judges warrant in nature of execution by ſale of goods or rents and profits to levy arrears of publick money by treaſurer, collector, overſeer, or ſureties,

XXXIV. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the judges of aſſize in their ſeveral and reſpective circuits from time to time to order one or more warrants in nature of an execution to iſſue, directed to the high ſheriff or other officer lawfully authorized within the ſeveral and reſpective counties, and counties of cities and towns, where any perſon was made treaſurer, collector, or overſeer of any publick work, impowering ſuch high ſheriff, or his under ſheriff, lawful deputy, or other officer lawfully authorized, by ſale of the goods and chattles, or ſufficient part thereof, or by or out of the rents, iſſues, and profits of the lands and tenements of any ſuch treaſurer, collector of the publick money, or overſeer, or their ſureties, who ſhall not have accounted for and paid the publick money, they ought to have accounted for and paid or expended, and who ſhall be found to be in arrear for the ſame, or any part thereof, to raiſe, levy, and collect ſuch ſum or ſums of money, for which they ſhall be ſo in arrear, and pay the ſame when levied to the treaſurer of the county; for the collecting of which ſuch high ſheriff, or his under ſheriff, or lawful deputy, or other officer lawfully authorized, ſhall be intitled to receive one ſhilling for every pound, he ſhall ſo collect, to be levied in manner aforeſaid from ſuch perſon and perſons, againſt whom ſuch warrant ſhall iſſue as aforeſaid; and that it ſhall be lawful for every judge of aſſize to enquire of, hear, and determine all and every offence, matter, and cauſe, that ſhall grow, come, or ariſe, by reaſon of this ſtatute, and to lay on ſuch reaſonable fines as ſhall be thought meet; which fines ſhall be levied by the high ſheriff, or his under ſheriff, or by the collector of any barony, or his deputy, as the ſaid judge of aſſize ſhall direct, as all county or barony taxes are hereby appointed to be levied, and ſhall be paid to the treaſurer of ſuch county, to be expended in ſuch manner as the grand jury of ſuch county ſhall direct, after deducting one ſhilling in the pound for levying the ſame.

fee 1s. per l.

Judges of aſſize to inquire offences, and impoſe fines,

levied and paid to treaſurer,

expended as by grand jury,

fee 1s. per l.

Defendants may plead general iſſue, give the matter in evidence, or avow on treaſurer's warrant, and have treble coſts,

XXXV. And be it further enacted by the authority aforeſaid, that if any perſon ſhall be ſued, moleſted, or troubled for putting in execution any of the powers contained in this act, or for doing any act, matter, or thing purſuant thereto, ſuch perſon ſhall and may plead the general iſſue and give the ſpecial matter in evidence, or may avow the taking any diſtreſs on the treaſurer's warrant merely without going into other title or authority; and if the plaintiff or plaintiffs ſhall be nonſuited, and judgment

ment given againſt him, her, or them, upon demurrer or otherwiſe, or a verdict paſs for the defendant or defendants, or a diſmiſs upon a civil bill, ſuch defendant or defendants ſhall have his, her, or their treble coſts; to be recovered by ſuch method and manner as where by law coſts are given to defendants; and that the ſolemn affirmation or declaration of a quaker ſhall be adjudged and taken to be of the ſame force and effect to all intents and purpoſes, in any caſe where by this act an oath is required to be taken, as if ſuch quaker had taken an oath in the form preſcribed, or in the uſual form.

quaker's affirmation of ſame force as oath.

XXXVI. And be it further enacted by the authority aforeſaid, that his majeſty's juſtices of the peace are hereby authorized to put this act in execution, and to adminiſter the ſeveral oaths herein before directed to be taken within their ſeveral and reſpective juriſdictions; and that one moiety of all forfeitures and pecuniary penalties to be inflicted by this act, and not otherwiſe applied, ſhall be paid to the informer with full coſts; and the other moiety to the treaſurer of the county infirmary for the benefit of ſuch infirmary; and that if any perſon, convicted of any offence by this act, ſhall not be able to pay the penalty, he or ſhe has incurred, it ſhall be lawful for the juſtice or juſtices of the peace, before whom ſuch perſon was convicted, to ſend ſuch perſon to the work houſe or houſe of correction of the county, there to remain at hard labour for ſuch time as the ſaid juſtice or juſtices ſhall think proper, not exceeding three months.

Juſtices to act, and adminiſter oaths,

penalties unapplied, to informer with full coſts, and for the infirmary,

if unable to pay, work-houſe not above 3 months.

XXXVII. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall be guilty of wilful and corrupt perjury, or of falſe affirming, or of forging or counterfeiting the name of any juſtice of the peace, and be thereof convicted by due courſe of law, ſhall incur the pains and penalties, which by law are enacted againſt wilful and corrupt perjury.

Perjury, falſe affirming, forging juſtice's name, puniſhed as wilful perjury.

XXXVIII. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of any county, or county of a city, or county of a town, to raiſe by preſentment ſuch ſum or ſums of money, as ſuch grand jury ſhall think neceſſary, not exceeding twelve pence *per* perch, for the making or repairing a foot path with ſtiles, not leſs than three feet wide, on any road in ſuch county, or along the ſide of any road, with the conſent of the occupier of the land, upon any barony in ſuch county in which ſuch foot path is neceſſary, ſubject to ſuch method of account as the preſentments for publick roads are by this act made ſubject unto; and that if any perſon ſhall ride or drive any horſe, beaſt, or cattle, knowingly, willingly, or unneceſ-

Preſentment not above 12d. per perch for foot path with ſtiles, not under 3 feet, on the road, or ſide with occupier's conſent,

accountable as for roads,

riding or driving cattle thereon 5s. to informer,

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sarily, on any such foot-path, such person shall upon conviction by the oath of any one credible witness before any one justice of the peace within his jurisdiction, or upon the view of any one such justice, for any such offence forfeit a sum not exceeding five shillings, to be levied by warrant under the hand and seal of such justice by distress and sale of the horse, beast, or cattle, so ridden or driven on such foot path, which penalty shall go to the informer.

on justice's warrant, by distress and sale of the beast.

XXXIX. And be it further enacted by the authority aforesaid, that this act shall extend to counties of cities and counties of towns, and that the grand juries thereof shall be empowered to present such sum or sums of money, as they shall think necessary, on the county at large of such city or town in the same manner, and for the same purposes, and subject to the same method of account to all intents whatsoever, and to do every other act, that the grand juries of the several counties in this kingdom are by this act enabled to do, although the words, in the barony or half barony of be not inserted in the affidavits laid before such grand jury.

Extended to counties of cities and towns.

XL. And be it further enacted by the authority aforesaid, that all presentments made, or money to be levied, accounted for, or paid, in consequence of the act hereby repealed, shall be levied, accounted for, and paid in manner prescribed thereby, or by this act, subject to the rules, provisoes, and regulations, therein or herein contained.

Presentments, &c in consequence of 5 G. 3, c. 14, levied, accounted for, and paid.

XLI. And whereas by an act passed in the eleventh year of his present Majesty, intitled, *an act to explain and amend an act passed in the fifth year of his Majesty King* George *the third,* intitled, *an act for amending the publick roads,* it is provided, that a vestry shall and may be held in every parish or union in the province of Ulster on the first Tuesday, Wednesday, or Thursday, after the feast of Saint Michael in every year for the purposes mentioned in the said act: and whereas the days for holding such vestry mentioned in the said act have proved inconvenient: be it enacted by the authority aforesaid, that such vestry shall, instead of being held on the days mentioned in said act for the purpose aforesaid, be hereafter held on the first Tuesday, Wednesday, or Thursday of September in every year.

Vestries in *Ulster* held 1st Tuesday, Wednesday, or Thursday in September yearly, instead of the days in 11 G. 3, c. 9.

XLII. And whereas the person or persons appointed collector or collectors of money presented at vestries, held under and by virtue of said act, frequently refuse to account for or pay the money collected by him or them to the director or directors mentioned in the said act, as the said act appoints: for remedy whereof

whereof be it enacted by the authority aforeſaid, that upon ſuch refuſal of any collector or collectors to account for or to pay the money collected, or which ſhould be collected, by him or them, any juſtice of the peace of the county, ſeized or poſſeſſed of three hundred pounds a year, ſhall on the complaint of any ſuch director or directors ſummon the collector or collectors ſo refuſing to account for or to pay before him; and if ſuch collector or collectors ſo to be ſummoned ſhall not ſhew ſufficient cauſe for ſuch refuſal, or for not collecting the ſum or ſums preſented at ſuch veſtry, the juſtice ſhall forthwith by warrant under his hand and ſeal cauſe the ſum or ſums received, or which ought to have been received without wilful default, by ſuch collector or collectors, to be forthwith levied off the goods and chattles of the collector or collectors, together with the coſts of ſuch warrants, and of the conſtables trouble in levying the ſame; and ſhall pay the ſame to the director or directors of the pariſh, to be applied by them purſuant to the preſentment of the ſaid veſtry.

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On collectors refuſal to account and pay to directors in 11 *G.* 3. c. 9. ſummoned by a juſtice of 300l. a year; and, if no cauſe, levied with coſts on his warrant, and paid to directors, applied to the preſentment.

CHAP. XXXIII.

An act for continuing an act, entitled, *an act for repairing the road leading from Tubber, near the bounds of the counties of Clare and Galway, to the town of Ennis in the ſaid county of Clare, and from thence to the north liberties of the city of Limerick.*

WHEREAS an act was paſſed in the ſeventh year of the reign of his late Majeſty King George the ſecond, entitled, *An act for repairing the road leading from Tubber, near the bounds of the counties of Clare and Galway, to the town of Ennis in the ſaid county of Clare, and from thence to the north liberties of the city of Limerick*; which act hath anſwered the purpoſes, for which the ſame was made, but the ſaid act will expire on the firſt day of June one thouſand ſeven hundred and ſeventy five: And whereas it is neceſſary, that the ſeveral proviſions therein contained ſhould be continued for a further term as well for the purpoſes of compleating the ſaid road, as keeping the ſame in repair: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for the better ſurveying, ordering, amending, and keeping the ſame in good repair, the right honourable William earl of Inchiquin, the right honourable Piercy Windham earl of Thomond, the right reverend

7 *G.* 2. c. 25.

to continue ſaid act,

truſtees,

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verend Robert lord biſhop of Killaloe, the right honourable Marcus Paterſon, lord chief juſtice of his Majeſty's court of common pleas, ſir Lucius O'Brien, baronet, Francis Pierpoint Burton, eſquire, the honourable William Henn, one of the judges of his Majeſty's court of King's bench, William Burton eſquire, Crofton Vandelure eſquire, Edward O'Brien eſquire, Nicholas Weſtby eſquire, James O'Brien eſquire, John Harriſon eſquire, collector of Ennis, as alſo all ſuch perſons as now are or ſhall hereafter from time to time be put into the commiſſion of the peace for the ſaid county of Clare, and alſo all ſuch clergymen beneficed in the ſaid county, as now are or ſhall hereafter be reſident within the ſame, who are hereby nominated and appointed truſtees of the ſaid roads, and the ſurvivors of them, they, or any five or more of them, or ſuch perſon or perſons as they, or any five or more of them, ſhall authorize and appoint, ſhall and may erect or cauſe to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or acroſs any part or parts of the ſaid highways or roads, and alſo a toll houſe or toll houſes, and there ſhall receive and take the tolls and the duties following, before any horſe, mare, gelding, aſs, or mule, cattle, coach, berlin, chariot, calaſh, chaiſe, or chair, waggon, wain, cart, car, or other carriage, ſhall be permitted to paſs through the ſame, viz. for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by ſix horſes, mares, geldings, aſſes, or mules, or more, the ſum of one ſhilling; and for every coach, berlin, chariot, calaſh, chaiſe or chair, drawn by any leſs number of horſes, geldings, or mares than ſix, and more than one, the ſum of ſix pence; for every waggon, wain, cart, car, or other ſuch carriage with four wheels, drawn by any cattle, the ſum of five ſhillings; for every wain, cart, car, or carriage with two wheels drawn by more than one horſe, mare, or gelding, aſs or mule, or other cattle, the ſum of four pence; for every carriage commonly called a chair or chaiſe with one horſe, mare, gelding, aſs, or mule, the ſum of three pence; for every car, or other carriage drawn by one horſe, mare, gelding, aſs, or mule, the ſum of three half pence; for every horſe, mare, gelding, aſs, or mule, laden or unladen, and not drawing, one penny; for every drove of oxen or neat cattle, the ſum of ten pence *per* ſcore, and ſo in proportion for any greater or leſſer number; for every drove of calves, hogs, ſheep, or lambs, the ſum of five pence *per* ſcore, and ſo in proportion for any greater or leſſer number; which ſaid reſpective ſum and ſums of money ſhall be demanded and taken in the name of or as a toll or duty, and the money ſo to be raiſed as aforeſaid is and ſhall be hereby veſted in the ſaid truſtees, and the ſame,

5 to erect turnpikes,

the toll,

and every part thereof ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner, as is herein after mentioned and directed; and the ſaid truſtees, or any five or more of them, are hereby impowered by themſelves or any perſon or perſons, by them or any five or more of them under their hands and ſeals thereunto authorized, to levy the toll or duty hereby required to be paid upon any perſon or perſons, who ſhall after demand made thereof neglect or refuſe to pay the ſame, by diſtreſs of any horſe or horſes, or other cattle or goods, upon which ſuch toll or duty is by this act impoſed, or upon any other the goods and chattles of ſuch perſon or perſons who ought to pay the ſame, and may detain and keep the ſame, until ſuch toll or duty, with the reaſonable charges of ſuch diſtraining or keeping the ſame, ſhall be paid; and it ſhall and may be lawful to and for ſuch perſon or perſons ſo diſtraining, after the ſpace of five days after ſuch diſtreſs made and taken, to ſell the goods ſo diſtrained, returning the overplus, if any be, upon demand, to the owner thereof, after ſuch toll, duty, and reaſonable charges for diſtraining and keeping the ſame ſhall be deducted and paid.

Tolls after expences applied to the road.

II. And be it enacted by the authority aforeſaid, that out of the firſt money, ariſing by the profits of the ſeveral turnpikes ſo to be erected, the ſaid truſtees, or any five or more of them, ſhall firſt pay and diſcharge the expence of procuring this act of parliament, and of erecting ſuch turnpike or turnpikes, or building ſuch toll houſe or toll houſes; and from and after ſuch charges and expences ſhall be fully ſatisfied and paid, that then and from thenceforth the profits ariſing, and the toll to be collected at any turnpike or turnpikes to be erected and ſet up upon the ſaid road leading from Tubber near the bounds of the counties of Clare and Galway to the town of Ennis in the ſaid county of Clare, and from thence to the north liberties of the city of Limerick, ſhall be applied for and towards the repair of the ſaid road only, and not elſewhere.

Permitting paſſage to evade toll, penalty 6*s.*

III. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever owning, renting, or occupying any land near unto any turnpike to be erected in purſuance of this act, ſhall, for gain, reward, or otherwiſe wittingly or willingly permit any perſon or perſons whatſoever to paſs through any gate, paſſage, or way, with any coach, berlin, chariot, calaſh, chaiſe, or chair, waggon, wain, cart, car, or other carriage, or riding or driving any horſe, aſs, or mule, or any other ſort of cattle, to avoid the payment of the toll hereby appointed to be

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paid, and being thereof convicted upon the oath of one or more witneſs or witneſſes before the ſaid truſtees, or any five or more them, or before one or more juſtice or juſtices of the peace of the county, wherein ſuch offence or offences ſhall be committed, who are hereby empowered and required to adminiſter ſuch oath; every perſon ſo offending ſhall forfeit and pay to the truſtees, authorized to put this act in execution, the ſum of ſix ſhillings; to be levied by diſtreſs and ſale of the offenders goods by warrant under the hand and ſeal, or the hands and ſeals, of the ſaid truſtees, or any five or more of them, or ſuch juſtice or juſtices, rendering the overplus to the owner (if any be) the charges of taking and diſpoſing of the ſaid goods being firſt deducted.

Side gates erected.

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any five or more of them, to erect one or more gate or gates, turnpike or turnpikes, on the ſide of the ſaid highways or roads acroſs any lane or way leading out of the ſaid road, and to build one or more toll houſe or toll houſes, and there to take and receive ſuch toll, as is appointed by this act to be taken, ſo as the ſame do not extend to a double charge in caſe of paſſing through any other of the turnpikes to be erected by virtue of this act between Tubber aforeſaid and the ſaid town of Ennis, and from thence to the north liberties of the city of Limerick aforeſaid.

Collectors and ſurveyors appointed at meeting and removed,

V. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any five or more of them, at their firſt meeting, or any ſucceeding meeting, by writing under their hands and ſeals ſhall and may elect, nominate, and appoint one or more fit perſon or perſons to be receiver or receivers, collector or collectors of ſuch money in the name of ſuch toll or duty, as ſhall be due and payable by virtue of this act; and alſo one or more fit perſon or perſons to be ſurveyor or ſurveyors to ſee the condition of the ſaid high way or road, and to ſee that the ſame be repaired and amended, and that the money ariſing and expended by virtue of this act be duly applied; and from time to time to remove ſuch collectors, receivers, and ſurveyors, or any or either of them, as they ſhall ſee occaſion, and appoint new ones in caſe of death, or of ſuch removal; and ſuch perſon or perſons, as is or are by this act liable to pay the toll or duty, is and are hereby required to pay the ſame after the rates aforeſaid to the ſaid receiver or receivers, collector or collectors, of the ſaid toll and duty in that behalf from time to time appointed as aforeſaid; and the perſon or perſons ſo appointed as aforeſaid for receiving the ſaid toll or duty, and ſuch ſurveyor or ſurveyors as aforeſaid,

accountable monthly before 5 truſtees, or one or more juſtices,

aforeſaid, ſhall upon oath if thereunto required by the ſaid truſtees, or any five or more of them, or before one or more juſtice or juſtices of the peace reſiding near the ſaid high way or road aforeſaid (which oath the ſaid truſtees, or any five or more of them, or ſuch juſtice or juſtices, is and are hereby impowered and required to adminiſter) on the firſt Tueſday in every month, or oftener, if required, during the continuance of this act, give in a true, exact, and perfect account in writing under their reſpective hands of all monies, which he and they, and every or any of them, ſhall to ſuch time have received, paid, and diſburſed by virtue of this act by reaſon of their reſpective offices, for which oath no fee or reward ſhall be taken; and in caſe any money ſo received ſhall remain in their or any of their hands, the ſame ſhall be paid to the ſaid truſtees, or any five or more of them, who ſhall by any writing or writings under their hands and ſeals authorize and impower to receive the ſame, and ſhall be diſburſed and laid out in amending the ſaid high way or road according to the true intent and meaning of this act, and not otherwiſe; and the ſaid truſtees, or any five or more of them, to whom ſuch account ſhall be given, ſhall and may, out of the money ariſing by ſuch toll or duty make ſuch allowance to the ſaid receiver or receivers, collector and collectors, and the ſaid ſurveyor or ſurveyors, for and in conſideration of his and their care and pains reſpectively taken in the execution of his and their office and offices, and to ſuch other perſon or perſons who have been or ſhall be aſſiſting in and about procuring the ſaid high ways and roads to be amended and repaired by advancing or laying out any monies, or otherwiſe relating thereto, as to them ſhall ſeem good; ſo as ſuch allowance or allowances to ſuch collector or collectors do not annually exceed in the whole the ſum of thirty pounds; and to ſuch ſurveyor or ſurveyors the ſum of two ſhillings and ſix pence *per diem*, during ſuch time or times as he or they ſhall reſpectively be employed in the repair of the ſaid roads; and ſo as ſuch allowance or allowances to any other perſon or perſons, who ſhall be employed by virtue of this act, do not exceed the ſum of fifteen pounds yearly to each perſon; and in caſe the ſaid receiver or receivers, collector or collectors, of the aforeſaid toll and duty, or any of them, ſhall not make ſuch account and payment unto ſuch perſon and perſons according to the orders and directions of the ſaid truſtees, or any five or more of them, as aforeſaid, that then the ſaid juſtices of the peace at any ſpecial ſeſſions or meeting of them, to be holden for the county in which the ſaid receiver or receivers, collector or collectors, have acted or been

allowance to collectors not above 30l. a year,

ſurveyors 2s. & 6d. *per* day,

others 15l. yearly,

on default impriſoned till account and payment.

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been employed, and made ſuch default as aforeſaid, ſhall and are hereby required and impowered to make enquiry, and finally to determine of and concerning ſuch default, as well by confeſſion of the ſaid parties themſelves, as by the teſtimony of one or more credible witneſs or witneſſes upon oath, which oath they are hereby required and impowered to adminſter without fee or reward; and if any perſon or perſons ſhall be convicted thereof by ſuch juſtices, the ſaid juſtices ſhall upon ſuch conviction commit the party or parties to the common gaol of the ſaid county, where ſuch offence ſhall be committed, there to remain without bail or mainprize until he or they ſhall have made a true and perfect account and payment as aforeſaid.

Surveyors may raiſe materials.

VI. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors, and ſuch perſon or perſons as he or they ſhall appoint, to dig, raiſe, gather, take, and carry away any gravel, furze, ſand, ſtones, or any other materials, out of any waſte or common of any pariſh, town, village, or hamlet, in or near which any founderous or ruinous places of the ſaid highways or roads do lie, and for want of ſufficient gravel, furze, ſand, ſtones, or other materials there, to dig, gather, raiſe, take, and carry away out of the waſte or common of any neighbouring town, village, or hamlet, without paying any thing for the ſame; and where there is not ſufficient of ſuch materials in any commons or waſte grounds near adjoining, it ſhall and may be lawful for them by order of the ſaid truſtees, or any five or more of them, to dig, raiſe, and gather the ſame in the ſeveral grounds of any perſon or perſons, not being a garden, orchard, yard, or meadow, planted walk or walks, or avenue to a houſe, where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof, as the ſaid ſurveyor or ſurveyors ſhall adjudge neceſſary for the repairing and amending the ſaid highways or roads, paying ſuch rate for ſuch materials, and for the damage to the owner or occupier of the ground, from whence the ſame ſhall be digged, raiſed, gathered, and carried away, as the truſtees appointed, or to be appointed to put this act in execution, or any five or more of them, ſhall adjudge reaſonable; and in caſe of any difference between ſuch owner or occupier and the ſaid truſtees, touching the value of the materials, and the damage aforeſaid, the judges of aſſize, or the juſtices of the peace at the next general aſſizes and general gaol delivery or quarter ſeſſions to be holden in the county, where ſuch materials ſhall be digged, raiſed, or gathered, and from whence the ſame

ſhall

ſhall be carried away, may and ſhall adjudge, aſſeſs, and finally determine the ſame.

Not removing annoyances, penalty for.

VII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors, and ſuch perſon or perſons as he or they ſhall appoint from time to time, to remove and prevent annoyances on any part of the ſaid highways or roads, hereby intended to be repaired, by filth, dung, aſhes, rubbiſh, watercourſes, ſinks, or drains running into the highways or roads, and to cleanſe any ditch or watercourſes adjoining to the ſaid road or to cut down, lop, or top any trees or buſhes growing in the ſaid highways, or in the hedges or banks adjacent to the ſaid highways, and to take and carry away the ſame (the owners or occupiers neglecting to cut down ſuch trees or buſhes, or to remove ſuch other annoyances for the ſpace of eight days after notice in writing given for that purpoſe under the hands of five of the ſaid truſtees) the charges whereof ſhall be reimburſed the ſaid ſurveyor or ſurveyors by ſuch owners or occupiers neglecting to cut down the ſaid trees or buſhes, or remove ſuch other annoyances as aforeſaid; and, if after the removal of any ſuch annoyances, any perſon or perſons ſhall again offend in the like kind, every ſuch perſon or perſons ſo offending, and being thereof convicted upon oath before one or more juſtice or juſtices of the peace of the ſaid county, where ſuch offence ſhall be committed, for every ſuch offence ſhall forfeit and pay unto the ſaid truſtees, where ſuch offence ſhall be committed, the ſum of ten ſhillings, to be levied in manner aforeſaid.

Surveyors to make drains, widen the road, &c.

VIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors by order of the ſaid truſtees, or any five or more of them, to make or cauſe to be made, cauſeways, and to cut and make drains through any grounds lying contiguous to the ſaid roads, and to erect arches of brick, timber, or ſtone thereupon, and alſo to widen any of the narrow parts of the ſaid highways or roads by opening, clearing, and laying into the ſaid highways or roads any grounds of any perſon or perſons lying contiguous to ſuch highways or roads, not being a houſe, garden, orchard, planted walk, or avenue to a houſe; and alſo to cauſe ditches or trenches to be made in ſuch places and in ſuch manner, as ſuch ſurveyor or ſurveyors by order of the ſaid truſtees, or any five or more of them, ſhall adjudge neceſſary, for the better amending and keeping the ſaid highways and roads in good repair, making ſuch reaſonable ſatisfaction to the owner or occupier of ſuch ground, which ſhall be ſo laid in or unto the ſaid highways or roads, or through which any ſuch drain or drains ſhall be cut, or on which any ſuch arch

making ſatisfaction.

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or arches ſhall be made, or through which any ſuch ſhortened road ſhall be carried, for the damages which he or they ſhall or may thereby ſuſtain, as ſhall be aſſeſſed and judged by the next going judge or judges of aſſize, or by the juſtices of the peace, or by the major part of them, at the next general aſſizes or quarter ſeſſions to be holden for the county, in which ſuch ground ſhall be laid into the ſaid highways or roads, or through which any ſuch drains, ditch or ditches, ſhall be cut or made, or on which ſuch arch or arches ſhall be erected or made, or ſuch cauſeways made, in caſe of any difference concerning the ſame; and if any owner or occupier of any watercourſes, ditch or ditches, adjoining to the ſaid highways or roads, ſhall neglect or refuſe to ſcour or cleanſe ſuch watercourſes, and to make ſuch ditches ſo deep, and in ſuch manner, as the ſurveyor or ſurveyors ſhall adjudge proper and convenient, after eight days notice ſhall be given for that purpoſe by ſuch, as ſhall be appointed by him or them, to ſuch owner or owners, it ſhall and may be lawful to and for the ſurveyor or ſurveyors to ſet any man or men to work to ſcour or cleanſe and make the ſame, and by warrant from any five or more of the ſaid truſtees to levy the charges thereof upon the perſons, goods, and eſtates of the owner or owners, occupier or occupiers, of ſuch watercourſes, ditch or ditches, by diſtreſs and ſale of his, her, and their goods and chattles, rendering the overplus (if any be) to the ſaid owner or occupier after all charges paid.

IX. Provided always, that in caſe there ſhall be more than one gate or turnpike in, acroſs, or on the ſide of the ſaid highway or roads between the ſaid town of Ennis and city of Limerick, no perſon or perſons having paid the ſaid toll or duty at the firſt gate or turnpike, through which ſuch perſon or perſons ſhall paſs, and producing a note or ticket that the ſaid toll or duty was paid (which note or ticket the ſaid receiver or receivers, collector or collectors, is and are hereby required to give gratis) ſhall be liable to pay any toll or duty at any other of the ſaid gates or turnpikes upon or on the ſide of the ſaid highway or road, ſuch perſon or perſons delivering ſuch note or ticket to the ſaid receiver or receivers, collector or collectors, of the ſaid toll or duty at the latter gate or turnpike the ſame day; and no perſon or perſons having occaſion to paſs the place or places, where the toll or duty is taken, and who ſhall return the ſame day, or with the ſame horſe, mare, gelding, aſs, or mule, cattle, coach, chariot, berlin, chaiſe, chair, calaſh, waggon, cart, car, or other carriage, ſhall be liable or compellable the ſame day to pay the ſaid toll or duty more than once on the ſaid road.

Toll once a day.

X. And to prevent frauds and abuſes in the ſaid toll or duty be it further enacted by the authority aforeſaid, that if any perſon or perſons having paid the toll or duty by this act granted or made payable, and having ſuch note or ticket, notes or tickets, as hereby directed, ſhall give or diſpoſe of the ſame to any perſon or perſons in order to avoid the payment of the ſaid toll or duty, every ſuch perſon giving, diſpoſing, or offering, and the perſon receiving, ſuch note or ticket, notes or tickets, and being thereof convicted upon the oath of one or more witneſs or witneſſes before the ſaid truſtees, or any five or more of them, or before one or more juſtice or juſtices of the county, wherein ſuch offence or offences ſhall be committed (which oath the ſaid truſtees and the ſaid juſtice or juſtices are hereby impowered to adminiſter) ſhall reſpectively forfeit and pay the ſum of ten ſhillings, to be levied, recovered, and diſpoſed of as any other penalty or forfeiture is directed to be levied, recovered, and diſpoſed of by this act.

Diſpoſing ticket to evade toll, penalty 10s.

XI. Provided, and it is hereby declared, that during the continuance of this act all coaches and paſſengers on horſeback ſhall paſs and repaſs toll free on the day or days, on which there ſhall be an election for knight or knights of the ſhire to ſerve in parliament for the ſaid county of Clare, or citizens for the ſaid city of Limerick, or for any burgeſs to ſerve in parliament for any borough of the ſaid county; any thing herein contained to the contrary notwithſtanding.

Election days toll free.

XII. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any five or more of them, may and are hereby impowered from time to time, as they ſhall ſee convenient or think fit, to compound or agree by the year or otherwiſe with any perſon or perſons uſing to travel through any turnpike or turnpikes, to be erected in purſuance of this act, with any milch cows, horſe, mare, or gelding, aſs or mule, with any coach, berlin, calaſh, chariot, chaiſe, chair, waggon, cart, car, or other carriage, for any ſum or ſums of money to be paid quarterly, from time to time, after ſuch agreement ſhall be made.

5 truſtees may compound.

XIII. Provided alſo, and it is hereby declared, that no perſon ſhall be charged with any of the ſaid tolls or duties aforeſaid for paſſing through any of the turnpikes to be erected purſuant to this act, who ſhall carry any quantity of ſtones, gravel, or other materials for repairing of the ſaid roads, or any of the roads in ſaid pariſhes in which the ſame do lie, or any of the neighbouring pariſhes; nor ſhall any perſon or perſons be chargeable with the

Perſons exempted.

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the ſaid toll or duty for any carts, cars, or waggons, loaded with corn in the ſtraw only, nor for any ploughs, harrows, or other implements of huſbandry, in order to the uſing or repairing of the ſame in the ſeveral pariſhes, in which the ſaid highways or roads hereby intended to be repaired do lie; nor ſhall any toll or duty be demanded or taken at any of the turnpikes to be erected for any horſe, mare, gelding, aſs, or mule, or other cattle going to water, or for any poſt horſe carrying the mail or packet, or for ſuch horſe as is or ſhall be uſed only to ride on by the owner or driver of any waggon, cart, or carriage, provided ſuch horſe paſs through the ſaid turnpike or turnpikes with ſuch waggon, cart, or carriage; nor ſhall any toll or duty be demanded or taken for the horſes of ſoldiers paſſing, that are upon their march, or for waggons, carts, cars, or other carriages travelling with vagrants ſent by paſſes, or with priſoners committed from one part of the kingdom to another.

Continued 41 years from 1ſt June next.

XIV. And be it further enacted by the authority aforeſaid, that the toll or duty hereby granted ſhall take place and have continuance only from and after the firſt day of June next for and during the term of forty one years.

Unleſs adjudication of truſtees.

XV. Provided nevertheleſs, that if at any time before the expiration of the ſaid forty one years all parts of the ſaid road ſhall be ſufficiently amended and repaired, and ſhall be ſo adjudged by the authority of the ſaid truſtees, appointed or hereafter to be choſen by virtue of this act, by an adjudication under their hands and ſeals, that then from and after ſuch adjudication made the ſaid tolls and duties ſhall ceaſe and determine, any thing herein contained to the contrary notwithſtanding.

Meeting of truſtees,

XVI. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall meet at Ennis on the laſt Monday in May next, and the ſaid truſtees ſhall then adjourn themſelves, and afterwards meet there, or at any other place or places near the ſaid highways or roads to be repaired, as the ſaid truſtees, or any five or more of them ſhall think proper or convenient, as often as it ſhall be neceſſary, for the putting this act in execution. And if it ſhall happen there ſhall not appear at any meeting, which ſhall be appointed to be had or held by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting, and to adjourn to any other day, then and in ſuch caſe the clerk to the ſaid truſtees ſhall by notice in writing to be affixed at the reſpective gates or turnpikes at leaſt ten days before the ſaid meeting, appoint the ſaid truſtees to meet at the houſe, where the meeting of ſaid truſtees

was

was laſt appointed to be had or held, or at ſome other convenient houſe near the ſaid roads, on the day fortnight next after the day upon which ſaid laſt meeting of the ſaid truſtees was appointed to be had or held; and the ſaid truſtees at their firſt meeting and at all their ſubſequent meetings ſhall defray their own charges and expences. A. D. 1773-4. Chap. 33. bear their charges.

XVII. Provided always, and be it further enacted by the authority aforeſaid, that no perſon or perſons, appointed or to be appointed by this act a truſtee or truſtees for putting this act in execution, ſhall have or accept of any profit ariſing out of or by reaſon of the ſaid toll or duty by this act laid or granted, but ſuch perſon or perſons ſhall be incapable after ſuch time of accepting and continuing to enjoy ſuch place or profit of acting as a truſtee. Truſtee not to accept place of profit.

XVIII. And be it further enacted by the authority aforeſaid, that if any ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, in every ſuch caſe the action ſhall be laid in the ſaid county of Clare or city of Limerick, and not elſewhere; and the defendant or defendants in ſuch action or actions to be brought may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of this act; and if it ſhall appear ſo to be done, or ſuch action or actions ſhall be brought in any other county, that then the jury ſhall find for the defendant or defendants; and upon ſuch verdict, or if the plaintiff ſhall be nonſuited, or diſcontinue his action after the defendant or defendants ſhall have appeared, or if any demurrer or judgment ſhall be given againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame as any defendant or defendants hath or have in other caſes by law. Actions laid in *Clare*, or *Limerick*, defendants may plead general iſſue, &c. have treble coſts.

XIX. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame. A publick act.

A. D. 1773-4.

CHAP. XXXIV.

An act for making and amending publick roads in the county of Dublin, and for regulating the aſſeſſing, applotting, and levying of money in the county of the city of Dublin.

Such parts of 5 *G.* 3. c. 14. as relate to county of *Dublin* repealed, except the repealing clauſe therein.

WHEREAS it is neceſſary, that a ſeparate law ſhould be formed for making, amending, and widening publick roads in the county of Dublin: be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of May one thouſand ſeven hundred and ſeventy four ſuch parts of an act paſſed in the fifth year of the reign of his preſent Majeſty, intitled, *An act for the more effectually amending the publick roads*, which relate to the county of Dublin, except the clauſe for repealing the acts of parliament therein mentioned, ſhall be repealed and made null and void.

Barony of St. *Sepulchre's* ſeparated from *Uppercroſs*,

II. And whereas the ſaid county of Dublin is divided into the baronies of Balrothery, Coolock, Caſtleknock, Nethercroſs, half barony of Rathdowne, Newcaſtle, and barony of Uppercroſs; and it is expedient to ſeparate from the ſaid barony of Uppercroſs that part of the liberty of St. Sepulchre's to the north of the circular road, including the precincts of the cathedral church of St. Patrick's, and the liberty of Donore, and to conſtitute and form them into two diſtinct baronies: be it enacted by the authority aforeſaid, that all that part of the liberty of St. Sepulchre's, within ſaid barony of Uppercroſs, which lies to the north of the circular road, including the precincts of the cathedral church of St. Patrick's, ſhall be ſeparate from the ſaid barony, and be to all intents and purpoſes a diſtinct barony, and be called and known by the name of the barony of St. Sepulchre's; and be rated by the treaſurer as containing one thouſand five hundred and ſeventy two acres, in the apportioning of all money preſented to be raiſed on the county at large. And that ſuch parts of the ſaid barony of Uppercroſs, as are known by the name of the liberty of Donore, ſhall be ſeparated from ſaid barony, and be to all intents and purpoſes a diſtinct and ſeparate barony, and be called and known by the name of the barony of Donore, and be rated by the treaſurer as containing two thouſand eight hundred and ninety acres, in the apportioning of all

rated at 1,572 acres in apportioning county preſentments,

ſo of baro rony of *Donore*,

all money preſented to be raiſed on the county at large. And that the remaining part of ſaid barony ſhall be a diſtinct and ſeparate barony in itſelf, and be called and known by the name of the barony of Uppercroſs, and be rated by the treaſurer as containing nineteen thouſand and forty two acres, in the apportioning of all money preſented to be raiſed on the county at large. And that the half barony of Rathdowne ſhall be called and known by the name of the barony of Rathdowne.

rated at 2,890 acres, remainder the barony of *Upper-croſs*, at 19,042 acres, barony of *Rathdowne*.

III. And for amending publick roads, or for making new roads where neceſſary in this county, be it further enacted by the authority aforeſaid, that from and after the firſt day of May one thouſand ſeven hundred and ſeventy four it ſhall be lawful for the grand juries of the county of Dublin at Eaſter and Michaelmas terms in every year to preſent any publick road in ſaid county, or any part thereof, to be repaired, or any part of any publick road which is not of the breadth of twenty one feet in the clear, to be widened to any breadth not exceeding thirty one feet, nor leſs than twenty one feet in the clear; and alſo to preſent any new road to be laid out and made from market town to market town, or from any market town to the ſea, through any part of ſaid county, except through the deer park of any perſon, or through any field or garden encloſed with a wall five feet high at leaſt, built with lime and ſtone, or bricks, or through any houſe or offices built with lime and ſtone, or bricks, or through any dwelling houſe of twenty feet in length, and fourteen feet in breadth, in the clear, or through orchards of ſix years growth, unleſs the conſent of the owner be firſt obtained, and to appoint two or more perſons, who can read and write, to overſee and carry into execution every ſuch preſentment: and further to preſent all ſuch ſum or ſums of money, as ſhall appear neceſſary, to be raiſed upon any of the ſaid baronies of Balrothery, Coolock, Caſtleknock, Nethercroſs, Rathdowne, Newcaſtle, Uppercroſs, Saint Sepulchre's and Donore, to be expended in repairing any publick road, or in widening or making any publick road in ſuch baronies as aforeſaid, and in paying wages to the overſeer or overſeers appointed as aforeſaid, after a rate not exceeding the rate of one ſhilling in the pound for each pound preſented to be expended by ſuch overſeer or overſeers.

Preſentment at Eaſter and Michaelmas terms yearly to repair roads, or widen not above 31 nor under 21 feet.

and for new road from market to market or to the ſea, except thro' deer-park, field or garden 5 feet walled, ſtone or brick houſe, or any 20 feet long 14 broad, orchard of 6 years, appoint overſeers,

wages not above 1s. per £.

IV. Provided always, that no ſum of money ſhall be ſo preſented for the repairing of any road, unleſs an affidavit ſworn by two credible perſons, who can read and write, before one of the judges of the King's bench at Eaſter or Michaelmas term, or before any two juſtices of the peace for ſaid county, in the following form, be firſt laid before the grand jury.

No preſentment for repair 'till affidavit by a literate before a judge of B. R. or a juſtices.

County

A. D. 1773-4. Chap. 34.

Altered 19 & 20 G. 3. c. 44. ſ. 2.

County of Dublin. } *of and of do ſwear, that they have lately meaſured perches of the road from to between and all in the barony of in this county, and that it will require the ſum of effectually to repair the ſaid perches with gravel or ſtones, being at the rate of by the perch, which they verily believe is the leaſt the ſaid perches can be effectually repaired for.*

Nor payment 'till affidavit of 1 overſeer before a judge of B. R. allowed.

And provided always, that no part of the money ſo preſented ſhall be paid on account of any preſentment for the repair of any road by the treaſurer of ſaid county, until the affidavit of one of the overſeers, who can read and write, appointed by the grand jury ſworn before one of the judges of the King's bench, in the following form, ſhall be allowed by the grand jury, and by the judges of the ſaid court.

County of Dublin. } *Whereas the ſum of was preſented at term in the year for ſaid county, to be expended in repairing perches of the road from to between and in the barony of at the rate of by the perch, and the ſum of for overſeers wages, at pence per each pound. And whereas and were appointed overſeers of the ſame. Now I of do ſwear, that I have expended faithfully and honeſtly the ſum of in repairing effectually with gravel or ſtones perches of the ſaid road, which ſum, with my wages, at pence for each pound, makes in the whole the ſum of and that every part of the ſaid perches is twenty one feet wide in the clear, within the ditches, drains, or fences, and is ſixteen feet wide, with gravel or ſtones; and that I expended the ſaid ſum of between the twenty-fifth day of March and the twenty fifth day of Auguſt in the year*

Except where the road preſented to be repaired is encloſed with walls built with lime and ſtones, or bricks, or with dwelling houſes of twenty feet in length, and fourteen feet in breadth in the clear, and is not twenty one feet wide between the ſame; in which caſe inſtead of the words, [*twenty one feet wide in the clear, within the ditches, drains, or fences*] ſhall be inſerted theſe words, [*encloſed on both ſides with walls built with lime and ſtones, or bricks, five feet high, or with dwelling houſes of twenty feet in length, and fourteen feet in breadth in the clear*; and that no part of ſaid money ſo preſented ſhall be paid, until thoſe overſeers, who ſhall not have ſworn to the expenditure of the money, who can read and write, ſhall alſo make oath in the form following, after firſt reciting the preſentment.

and oath of thoſe overſeers not ſworn to the expenditure.

County of Dublin. } *I or we the other overſeer or overſeers in the above recited preſentment, do ſwear, that we have carefully viewed the ſaid road* [as it ſhall happen to be] *ſo ſworn to be repaired by ſince the ſame has been finiſhed, and that to the beſt of our judgment and opinion the ſame has been ſufficiently repaired; and that we believe the money ſworn by the ſaid to have been expended in repairing ſaid road has been faithfully and honeſtly laid out.*

V. And

V. And whereas the great ſums levied annually upon ſaid county, and expended in repairing the roads leading to Dublin, are found inſufficient for that purpoſe; the reaſon whereof is alledged, that from the time they are generally repaired, no attention is given them, until they are worn again, and become full of ruts and holes, whereas conſidering the number of carriages that frequent thoſe roads, they require to be conſtantly attended to: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the grand jury of the county of Dublin at every Eaſter term to appoint for a time, not exceeding one year, any overſeer or overſeers to keep in repair and free from illegal nuiſances any number of perches of any road, not exceeding ſix hundred perches for each overſeer, and alſo to preſent at Eaſter or Michaelmas term in every year any ſum or ſums of money, not exceeding in the whole for ſuch ſix hundred perches the ſum of ſeven pounds ten ſhillings, which ſhall appear by affidavit to the grand jury, and to the court of King's bench, to have been expended in keeping in repair any ſuch road, or in removing illegal nuiſances upon any part of ſuch ſix hundred perches.

Grand jury every Eaſter may appoint for a year overſeers to repair and free from nuiſances 600 perch each,

and on affidavit of ſo expending preſent 7*l.* 10*s.*

15*l.* *on keeping in repair* 600 *perches in* 6 *miles of the caſtle, by* 19 & 20 *G.* 3. *c.* 44. *ſ.* 19.

VI. And provided alſo, that no money ſhall be ſo preſented for the widening of any publick road, unleſs an affidavit, ſworn by two credible perſons, who can read and write, before one of the judges of the King's bench, or before two juſtices of the peace for ſaid county, in the form following, be firſt laid before the grand jury.

No preſentment for widening 'till affidavit by 2 before a judge of B. R. or 2 juſtices.

County of Dublin. } *of and of do ſwear, that they have lately meaſured perches of the road from to between and all in the barony of in the ſaid county, and that no part of ſaid perches is twenty one feet wide in the clear of ditches, drains, or fences, or encloſed on both ſides with walls built with lime and ſtones, or bricks, five feet high, or dwelling houſes of twenty feet in length, and fourteen feet in breadth in the clear, and that it will require the ſum of to widen the ſaid perches to the breadth of in the clear, and to make fences inſtead of thoſe that ſhall be taken down or deſtroyed in order to widen the ſame; and that ſaid ſum is a reaſonable charge, and is the leaſt, that ſaid work can be effectually done for.*

A. D. 1773-4. Chap. 34.

And that no money ſhall be paid by the treaſurer of ſaid county on account of ſuch preſentment, unleſs an affidavit of one of the overſeers, who can read and write, ſworn before one of the judges of the King's bench in the form following, ſhall be allowed by the grand jury and the court of King's bench.

Nor payment unleſs affidavit of 1 overſeer allowed.

County of Dublin. } *Whereas the ſum of was preſented by the grand jury of ſaid county at term in the year to be expended in widening perches of the road from to between and all in the barony of in ſaid county, and the ſum of for overſeers wages, at pence for each pound. And whereas and were appointed overſeers of the ſame, now I of do ſwear, that I have faithfully and honeſtly expended the ſum of in widening perches of ſaid road, which ſum, with my wages at pence for each pound, makes in the whole the ſum of and that every part thereof is now feet wide in the clear of ditches, drains or fences, and that new fences are made, inſtead of thoſe that have been taken down or deſtroyed in order to widen the ſame.*

and oath of overſeers not ſworn to expenditure.

And that no part of ſaid money ſo preſented ſhall be paid, until ſuch of the ſaid overſeers, who ſhall not have ſworn to the expenditure of the money, and who can read and write, ſhall alſo make oath in the form following, after firſt reciting the preſentment.

County of Dublin. } *I or we the other overſeer or overſeers in the above recited preſentment, do ſwear, that we have carefully viewed the ſaid road ſo ſworn to be widened by ſince the ſame has been finiſhed; and that to the beſt of our judgment and opinion the ſame has been properly widened, and that the new fences are ſufficiently made, and that we believe, the money ſworn by the ſaid to have been expended in widening ſaid road, has been faithfully and honeſtly laid out.*

Half preſentment where road a boundary,

VII. Provided always, that if any part of any publick road be the boundary between any two baronies in ſaid county, or between any barony in ſaid county and a barony in any adjoining county, or between any barony in ſaid county and the county of the city of Dublin, ſo as that one ſide of each road is * one barony, and the other ſide in another, or in the county

of the city of Dublin, it ſhall not be lawful for any grand jury to preſent more than half of the ſum, that ſhall appear neceſſary for repairing ſuch road, or widening ſuch road, and half the overſeer's wages, to be raiſed on any ſuch barony to which ſuch road is the boundary: and that in the affidavit to be made, before the money can be preſented for the repairing ſuch road, or widening ſuch road, and alſo in the affidavit to be made by the overſeer who has expended the money, before the ſaid money can be paid, inſtead of the words "*all in the barony of*" ſhall be inſerted theſe words, [*which ſaid perches are the mearing between the baronies of and in ſaid county, or between the barony of in ſaid county, and the barony of in the county of or between the barony of and the county of the city of Dublin*] as the caſe ſhall happen to be; and that no money ſhall be paid by the treaſurer of ſaid county on account of ſuch preſentment, unleſs an equal ſum ſhall be preſented at the ſame term, in which that preſentment was granted, for the adjoining barony, if in the ſame county, or unleſs it ſhall appear by affidavit to the court of King's bench and grand jury, that as much money, as has been ſo preſented for ſuch barony, ſhall have been preſented for doing the other part of ſaid work, by the grand jury or juries of the adjoining county or counties, or of the grand jury of the county of the city of Dublin.

affidavits purſuant thereto,

no payment unleſs an equal preſentment for adjoining barony or county.

VIII. And whereas the taking in or encloſing of any part of any publick road, has been found very injurious: therefore be it further enacted by the authority aforeſaid, that no perſon ſhall encloſe, or add to his or her field or encloſure, any part of any publick road, or any ſpot adjoining to a publick road, which is now belonging to or deemed a part of ſaid publick road; and in caſe any perſon ſhall ſo take in, encloſe, or add to his or her field or encloſure, any part of any publick road, it ſhall be lawful for any two juſtices of the peace within their juriſdiction, each juſtice having a real eſtate of one hundred pounds a year in the ſaid county, on view thereof, or on the oath of any one credible witneſs, by warrant under their hands and ſeals to order ſuch encloſure, whether wall or ditch, to be pulled down, and to levy the expence of ſo doing, together with the ſum of forty ſhillings, on the offender's goods and chattles.

No inclosure of any part of road,

pulled down by order of 2 juſtices of 100l. a year in the county.

IX. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of ſaid county at Eaſter or Michaelmas term in every year to preſent ſuch ſum or ſums of money, as ſhall appear to them neceſſary, to lay out and make ſuch

Preſentment at Eaſter and Michaelmas for new road and fences, 1s. per perch, overſeer's wages 1s. perl.

A. D. 1773-4. Chap. 34.

ſuch new road as aforeſaid through ſaid county, or any part thereof, to make fences thereto, not exceeding the rate of one ſhilling for each perch of ſuch fence to be raiſed, either upon ſaid county, and expended in laying out and making ſuch new road, or in making fences and paying wages to the overſeer, after a rate not exceeding the rate of one ſhilling in the pound for each pound preſented to be expended by ſuch overſeer, or upon any barony in ſaid county, and expended in laying out and making any part of ſuch new road or fences within ſaid barony, and in paying wages to the overſeer after the rate aforeſaid.

on county or barony.

Requeſtor's name inſerted,

X. Provided always, that in every preſentment made for the laying out of any new road, the name of the perſon requeſting the ſame be inſerted; and that no ſuch preſentment ſhall be made, unleſs it ſhall firſt appear by affidavit, ſworn before any two juſtices of the peace for ſaid county, that a map of ſuch new road has been depoſited with the treaſurer of ſaid county twenty one days at leaſt before the firſt day of ſuch term, in order to be inſpected by all perſons whom it may concern, (which map is to be kept by the clerk of the crown among the records of the county,) and that no part of ſuch intended new road is to be made through the deer park of any perſon, or through any field or garden encloſed with a wall five feet high at the leaſt, built with lime and ſtone, or bricks, or through any houſe of twenty feet in length, and fourteen in breadth in the clear; or through any houſe or offices built with lime and ſtone, or bricks, or through orchards of ſix years growth, unleſs the conſent of the owner or occupier of the land be firſt obtained; and that a notice, ſetting forth that an application is intended to be made at the next term for a preſentment to lay out a new road from to diſtinguiſhing the ſeveral lands, and baronies or barony through which the ſame is to be made in ſaid county, and the number of perches it is to be made through each town land, has been perſonally ſerved upon or left at the houſe of each occupier of the land, through which the ſame is to be made in ſaid county, twenty one days at leaſt previous to the firſt day of ſuch term; and that another ſuch notice has been poſted upon the door of the county court houſe and of the four courts ſeven days at leaſt previous to the firſt day of ſuch term.

affidavit before 2 juſtices of depoſiting map (kept by crown clerk forinſpection) 21 days before term,

and not thro' deer park, field, or garden, walled 5 feet, houſe 20 long and 14 broad, any ſtone or brick houſe, orchard of 6 years, unleſs conſent,

and notice, diſtinguiſhing lands, baronies, and perches thro' each town-land, ſerved on each occupier 21 days, and poſted on county court and 4 courts door 7 days before term.

Affidavit for new road by 2 before a judge of B.R. or 2 juſtices

XI. Provided alſo, that no money ſhall be preſented for the making of any new road, unleſs an affidavit, ſworn by two credible perſons, who can read and write, before one of the judges of the King's bench, or before any two juſtices of the peace for ſuch

ſuch county, in the form following, be firſt laid before the grand jury. A. D. 1773-4. Chap. 34.

County of Dublin. } *of and of do ſwear, that it will require the ſum of to make perches of the new road, lately laid out from to between and all in the barony of in ſaid county, thirty feet wide in the clear at the leaſt, and ſixteen feet wide at the leaſt, with gravel and ſtones, being at the rate of by the perch, which, they verily believe, is the leaſt, the ſaid perches can be effectually made for.*

and that no part of the money ſo preſented ſhall be paid on account of ſuch preſentment by the treaſurer of ſaid county, until the affidavit of one of the overſeers, who can read and write, appointed by the grand jury, ſworn before one of the judges of the king's bench, in the following form, ſhall be allowed by the grand jury and court of king's bench. Affidavit of overſeer allowed,

County of Dublin. } *Whereas the ſum of was preſented at term in the year to be expended in making perches of the new road from to between and all in the barony of at the rate of by the perch, and the ſum of for overſeers wages at pence for each pound. And whereas and were appointed overſeers of the ſame: now I of do ſwear, that I have faithfully and honeſtly expended the ſum of in making perches of the ſaid new road, and that the ſaid perches are thirty feet wide at the leaſt in the clear within the ditches, drains, or fences, and were effectually made ſixteen feet wide at the leaſt with gravel or ſtones in the year which ſum with my wages at pence for each pound makes in the whole the ſum of*

and that no part of ſaid money ſo preſented ſhall be paid until ſuch of the ſaid overſeers, who ſhall not have ſworn to the expenditure of the money, and who can read and write, ſhall alſo make oath in the form following, after firſt reciting the preſentment. Oath by overſeers not ſworn to expenditure,

County of Dublin. } *I or we the other overſeer or overſeers in the above recited preſentment, do ſwear, that we have carefully viewed the ſaid road, ſo ſworn to be made by ſince the ſame has been finiſhed, and that to the beſt of our judgment and opinion the ſame has been effectually made; and that we believe the money, ſworn by the ſaid to have been expended in making ſaid road, has been faithfully and honeſtly laid out.*

Affidavit of 1 overſeer of expenditure for fences,

and that no money ſhall be paid by the treaſurer of ſaid county on account of any preſentment for fences to ſuch new road, unleſs it ſhall appear to the grand jury by the affidavit of one of the overſeers, ſworn before one of the judges of the king's bench, that the money preſented ſo to be expended has been faithfully and honeſtly laid out; and alſo unleſs it ſhall appear by the affidavit of one of the other overſeers named in ſaid preſentment, that ſuch fences are to the beſt of his judgment and opinion effectually made.

and by another of being effectual.

Traverſe to new road,

XII. And be it further enacted by the authority aforeſaid, that if any perſon ſhall think himſelf or herſelf aggrieved by any preſentment for making any new road, ſuch perſon may traverſe the ſame at the ſame term, in which ſuch preſentment ſhall be made, and ſuch traverſe may be tried at the ſaid term, and if not then tried, ſhall be tried at the term next enſuing, unleſs good cauſe be ſhewed to the contrary; and the jury, who try the traverſe, ſhall true verdict give, whether any and what damages will accrue thereby to ſuch perſon, which verdict ſhall be concluſive to ſuch perſon; and upon the ſum ſo found for damages being paid to him or her, or depoſited with the treaſurer for his or her uſe, it ſhall be lawful for the overſeer to proceed, and lay out, or make ſuch new road purſuant to the preſentment without the interruption of ſuch perſon; and it ſhall be lawful for the grand jury of ſaid county to preſent, if they ſhall think proper, the ſum ſo found for damages to be raiſed upon the county, or upon the barony or baronies, through which the ſaid road ſhall be made, in proportion to the length it ſhall be made through each barony; and the grand jury of ſaid county may alſo preſent any old road, or any part thereof, to be ſtopped up, where any new road to anſwer the purpoſes of the old one hath been or ſhall be made, except ſuch old roads, concerning which ſuits are now depending either at law or in equity.

tried ſame term or next, unleſs cauſe,

verdict of damages concluſive,

on payment or depoſit overſeer may proceed,

preſented on county or baronies in proportion to length,

old road ſtopped, ſave ſuits depending.

XIII. Provided

XIII. Provided always, that a notice ſhall have been poſted upon the door of the court houſe of the quarter ſeſſions and of the four courts at the next preceeding ſeſſions and at the next preceeding term, of the intention of applying for the ſtopping up of ſuch old road.

On notice poſted at courthouſe and 4 courts.

XIV. Provided always, that it ſhall be lawful for any perſon, who ſhall think himſelf or herſelf aggrieved by ſuch preſentment for ſtopping up any old road, to traverſe ſuch preſentment, at the ſame or at the next term after ſuch preſentment ſhall be made, and ſuch traverſe ſhall be tried by a jury; and in caſe ſuch preſentment ſhall not be traverſed, or, if traverſed, a verdict ſhall be found for the preſentment, ſuch preſentment ſhall be confirmed.

May be traverſed,

tried the ſame or next term.

XV. And whereas the roads in this county are very much damaged by the narrow wheels of cars, carts, and drays, and by the ſtreaks being ſet on ſuch wheels with ſpriggs or high headed nails: be it further enact by the authority aforeſaid, that in every affidavit to be made by any overſeer for accounting for any money expended on any road, bridge, or other publick work, after the firſt day of June one thouſand ſeven hundred and ſeventy five, ſhall be added and inſerted theſe words, [and that no cart, car, or other carriage was employed in ſaid work, whoſe wheels were of leſs breadth or gage from ſide to ſide on the ſole, when worn, than three inches, and that the ſtreaks of the wheels of ſaid cars, carts, or carriages, were not ſet on with ſpriggs or high headed nails.] And further that all perſons bringing milk to the city or ſuburbs of Dublin, who ſhall from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy five carry or convey the ſame upon low back cars or any other carriages whatſoever, the wheels of which ſhall not be of the breadth of three inches at the leaſt from ſide to ſide at the bottom or ſole when worn, or if the ſtreaks or iron, with which ſaid wheels are bound, ſhall be ſet on with ſpriggs or high headed nails, ſhall forfeit the ſum of twenty ſhillings, for each and every time that he, ſhe, or they ſhall ſo preſume to carry or convey the ſame on ſuch carriage as aforeſaid; the ſaid penalty to be recovered by any perſon who ſhall inform thereof upon oath before a juſtice of the peace of ſaid county, and upon refuſal or neglect of paying, ſuch penalty to be levied by diſtreſs and ſeizure of ſaid car or carriage, milk, and veſſel containing ſuch milk, and horſe or other beaſt of draught, in the ſame manner as has been ſpecified and directed in an act paſſed in

Affidavit by overſeer, accounting for publick work of employing 3 inch wheels not with ſpriggs,

milk cars to *Dublin* with narrow wheels or ſprigs &c.

to informer on oath before a juſtice,

on nonpayment, diſtreſs and ſeizure as by c. 32.

A. D. 1773-4. Chap. 34.

in the preſent year of his preſent Majeſty, intitled, *An act for amending the publick roads.*

County preſentment for new ſeſſion houſe, gaol, or workhouſe, or bridge or wall for a road,

XVI. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of ſaid county at Eaſter and Michaelmas term every year to preſent, that ſuch ſums of money, as they ſhall think neceſſary, ſhall be raiſed upon ſaid county at large, to be expended in building a new ſeſſion houſe, gaol, work houſe, or houſe of correction, or bridge or wall, neceſſary to the ſupport of any road in ſaid county, and alſo for the wages of the overſeer of any ſuch work, not exceeding twelve pence for each pound, to be by him expended agreeable to ſuch preſentment; and that it ſhall be lawful for the grand jury of ſaid county at Eaſter or Michaelmas terms to preſent, that ſuch ſums of money, as they ſhall think neceſſary, ſhall be raiſed upon ſaid county at large, to be expended in rebuilding, enlarging, or repairing the ſeſſions houſe, gaol, work houſe, or houſe of correction, or any bridge or part of a bridge, or any gullet or pipe under any road, or any wall, or part of a wall, neceſſary to the ſupport of any road in ſaid county, or for the gravelling or filling over any ſuch bridge, gullet, or pipe, and alſo for the wages of the overſeer of any ſuch work not exceeding twelve pence for each pound, to be by him expended agreeable to ſuch preſentment: provided that no money ſhall be ſo preſented for any of the above mentioned works, unleſs it ſhall appear by the affidavit of two credible perſons, who can read and write, ſworn before any one of the judges of the king's bench, or before any two juſtices of the peace of ſaid county, that the ſum therein required is a reaſonable charge, and that the work is neceſſary, and cannot be effectually executed for a ſmaller ſum to the beſt of their judgment: And provided that if the affidavit ſhall be for building a new ſeſſions houſe, gaol, work houſe, or houſe of correction, or bridge, or for rebuilding an old one, that then and in ſuch caſe a plan and eſtimate of the work ſhall be annexed to ſuch affidavit, in which the following words ſhall be alſo inſerted after the words ſmaller ſum, [*according to the plan and eſtimate hereunto annexed*;] and that no preſentment for any new bridge, except it is to be built in the room of an old one, ſhall be confirmed by any judge of the king's bench, unleſs it ſhall firſt appear to ſuch judge, that an affidavit and eſtimate for ſuch new bridge had been laid before the grand jury of the ſaid county at the laſt term, and ſhall be certified by the foreman of ſuch grand jury, that the ſame had been

and overſeer's wages, not above 12d. *per.* £.

for rebuilding enlarging, or repairing,

gravelling or filling, and wages,

affidavit by 2 before a judge or 2 juſtices of ſum reaſonable, work neceſſary, and not to be executed for leſs,

eſtimate annexed if for new or rebuilding.

and for new bridge, affidavit and eſtimate laid before grand jury laſt term, certified by foreman,

been laid before and read before ſuch grand jury; but this ſhall not extend to new bridges preſented inſtead of old ones, which were carried away or deſtroyed, or may require to be rebuilt; and that the whole ſum of money, or any part thereof, ſave as is herein after mentioned, ſo preſented for ſuch work, ſhall not be paid by the treaſurer of ſaid county on account of any ſuch preſentment, until it ſhall appear to the grand jury, and to the court of king's bench by the affidavit of one of the overſeers appointed for ſuch work, who can read and write, ſworn before one of the judges of the king's bench, that the ſaid ſum ſo accounted for hath been faithfully and honeſtly expended in the execution of the work, for which ſuch money was granted by ſuch preſentment, to the beſt of his ſkill and judgment, and until the ſaid account hath been allowed by the grand jury, and by the court of king's bench; and where any preſentment exceeding one hundred pounds ſhall be granted for the building, rebuilding, or repairing of the ſeſſion houſe, gaol, workhouſe or houſe of correction, or any bridge, in ſuch caſe the court of king's bench is hereby empowered to order ſuch part of any ſuch preſentment to be paid by the treaſurer to the overſeer, as ſhall be ſworn to have been expended by him, on his affidavit being allowed by the grand jury, ſetting forth, that as much of the work is done according to the preſentment, as amounts to the ſum required, which ſum is hereby limited not to exceed two thirds of the preſentment: provided, that the overſeer gives ſecurity before the court of king's bench to finiſh the work purſuant to the preſentment.

unleſs the old deſtroyed or required to be built,

affidavit of expenditure, by 1 overſeer before a judge, and account allowed,

where above 100l. for ſeſſions, gaol, workhouſe, or bridge, B. R. may, on overſeer's affidavit and ſecurity to finiſh, order payment of part ſworn expended, not exceeding 2-3ds.

XVII. And be it further enacted by the authority aforeſaid, that it ſhall not be lawful for the grand jury of ſaid county to preſent more than half the ſum, that ſhall appear to them by the affidavit of two credible perſons, ſworn before a judge of the king's bench, or before any two juſtices of the peace of ſaid county, to be neceſſary for the building, rebuilding, or repairing of any bridge, gullet, or pipe, or for the filling or gravelling over the ſame, which is the boundary between ſaid county and any adjoining county, or between the ſaid county and county of the city of Dublin; and half the overſeer's wages to be raiſed upon ſaid county; and that no money ſhall be paid by the treaſurer of ſaid county on account of ſuch preſentment, unleſs it ſhall alſo appear to the grand jury, and to the court of king's bench, that an equal ſum hath been preſented to be raiſed for ſaid work on the adjoining county; and that any juſtice of the peace of ſaid county, having an eſtate of freehold in lands, tenements, or hereditaments, of

For bridge, gullet, or pipe, a boundary, half only preſented,

not paid, unleſs equal preſentment on adjoining county,

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a juſtice of 100l. a year freehold in the county may order 5l. to repair ſudden damage to bridge, ſhore, gaol, &c.

on affidavit of neceſſity by 2,

and appoint overſeers,

preſented on county next Eaſter or Michaelmas on ſuch affidavit and warrant, and affidavit of expenditure,

or order 40s. to repair accidental bad ſtep,

and appoint overſeer,

preſented on barony on like requiſites next term,

no juſtice to make above one order,

muſt have 100l. a year freehold in the barony,

affidavit by ſuch juſtice of viewing before order and ſince repair, of the neceſſity and

the clear yearly value of one hundred pounds at leaſt, within ſaid county, may under his hand and ſeal order any ſum, not exceeding five pounds, to be expended in repairing any bridge, ſhore, ſeſſion houſe, houſe of correction, or gaol within ſaid county, which may be ſuddenly damaged, and which ought to be repaired by ſaid county; provided it ſhall appear to him by the affidavit of two credible perſons, who can read and write, that the repair of ſuch bridge, ſhore, ſeſſions houſe, houſe of correction, or gaol, cannot be delayed to the next preſenting term without prejudice to the county, as they verily believe; which affidavit the ſaid juſtice is hereby impowered to take, and the ſaid juſtice may alſo appoint proper overſeers to repair the ſame; and the grand jury of the ſaid county at the next Eaſter or Michaelmas term is hereby required to raiſe by preſentment the ſum ſo expended in repairing any ſuch bridge, ſhore, ſeſſions houſe, houſe of correction, or gaol, upon ſaid county at large, to be paid to the overſeer or overſeers ſo appointed by ſuch juſtice, upon his or their producing to them ſuch affidavit as is before mentioned, and ſuch warrant under the hand and ſeal of the ſaid juſtice, as alſo an affidavit ſworn by one or more of the overſeers before a judge of the king's bench, that he or they have faithfully and honeſtly expended the ſum ſpecified in ſaid affidavit in repairing ſuch bridge, ſhore, ſeſſions houſe, houſe of correction or gaol; and that any juſtice of the peace qualified as aforeſaid upon the affidavit of two ſubſtantial houſeholders, who can read and write, may in like manner order any ſum of money, not exceeding the ſum of forty ſhillings to be expended in repairing any hole or bad ſtep, which may happen in any road by a ſudden fall of rain or other accident, and may appoint an overſeer to repair the ſame; and the grand jury of ſaid county are hereby required to raiſe at the next preſenting term upon the barony, in which road ſuch is, the ſum ſo expended, on ſuch overſeers performing ſuch requiſites as the above mentioned overſeers of bridges are required to perform: provided that no juſtice of the peace ſhall make, or have authority to make, above one ſuch order between one preſenting term and another; nor for any road in any barony, in which he has not a freehold of the clear yearly value of one hundred pounds; and alſo that no money ſhall be paid by the treaſurer to any overſeer appointed by any juſtice of the peace in manner aforeſaid, unleſs it ſhall firſt appear to the grand jury and court of king's bench by the affidavit of ſuch juſtice, that he viewed ſuch bridge, road, ſhore, ſeſſions houſe, houſe of correction, or gaol, before he gave any

order for repairing the ſame, and that the repair thereof ſeemed to him neceſſary to be made, and that he viewed the ſame ſince it was repaired, and that the work ſeemed to him to have been well executed, and the whole of the money to have been honeſtly expended, and that he has an eſtate of freehold in the county of the clear yearly value of one hundred pounds, and that he made only one ſuch order ſince laſt Eaſter or Michaelmas term.

expenditure, having ſuch eſtate, and making only one order.

XVIII. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of the ſaid county at Eaſter or Michaelmas term, or at the quarter ſeſſions, every year by preſentment to raiſe on ſaid county any ſum of money, not exceeding twenty pounds in the whole, for the building or repairing of gallowſes or for bolts, ſhackles, ſtocks, whipping poſts, ducking ſtools, or pillories, mile ſtones, or finger poſts; and alſo any ſum of money that ſhall be neceſſary for the expence of conveying any priſoner accuſed of a capital offence to the county gaol, ſo as the ſame do not exceed the ſum of ſix pence for each mile, every ſuch priſoner ſhall be conveyed to ſuch county gaol; and that it ſhall be lawful for the grand jury of ſaid county at Eaſter or Michaelmas term every year by preſentment to raiſe on ſaid county ſuch ſums of money, as they ſhall judge neceſſary, for the recovering of publick money from treaſurers, collectors, or receivers, their executors, adminiſtrators, or ſureties, or the executors or adminiſtrators of ſuch ſureties; and alſo ſuch ſums of money as ſhall appear neceſſary to proſecute any ſuit or ſuits for the recovery of any ſum or ſums preſented under this act.

County preſentment, not above 20l. for gallows, bolts, &c.

and for conveying priſoners, not above 6 pence *per* mile,

and recovering publick money, and proſecuting ſuits.

XIX. Provided always, that no ſum of money ſhall be paid by the treaſurer of ſaid county for or upon account of any ſuch preſentment, until it ſhall appear to the grand jury, and to the court of king's bench, by the affidavit of one of the perſons to whom ſuch ſum was granted, ſworn before one of the judges of the king's bench, that ſuch ſum hath been faithfully and honeſtly expended agreeable to the preſentment, by which ſum was granted.

No payment till affidavit before a judge of B. R. of the expenditure.

XX. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand juries of the county of Dublin in Eaſter and Michaelmas terms in every year to preſent a foot path, not exceeeding three feet in breadth, to be laid out and made on either ſide of any road within five miles of the tholſel of the city of Dublin in ſaid county; and alſo that it ſhall be lawful for the grand jury of ſaid county at Eaſter or Michaelmas term every year by preſentment to raiſe upon any barony ſuch

Preſentment of foot path, not above 3 feet, on either ſide, within 5 miles of Tholſel,

and to bounds of the county by 19 & 20 *G.* 3. c. 44. *ſ.* 15.

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and 2s. *per* perch on barony for ſuch paths with ſtyles,

ſubject as for roads,

not thro' deer park, &c.

and traverſe as for new roads,

ſuch ſum or ſums of money, not exceeding two ſhillings *per* perch, as they ſhall think neceſſary, to be expended in making or repairing foot paths with ſtyles, not leſs than three feet wide on any road in ſaid barony, or along the ſide of any road in ſaid barony, ſubject to ſuch method of account as the preſentments for publick roads are by this act ſubject unto; but that ſaid foot path ſhall not paſs through the deer park of any perſon, or through any fields, or garden incloſed by a wall five feet high at the leaſt, built with lime and ſtone or bricks, or through any houſe or offices built with lime and ſtone or bricks, or through any dwelling houſe of twenty feet in length, and fourteen in breadth in the clear, or through orchards of ſix years growth, unleſs the conſent of the owner or occupier of the land be firſt obtained; and that whoever ſhall think himſelf or herſelf aggrieved by ſuch preſentment, ſhall be allowed to traverſe in the ſame manner, as has been in this act herein before ſpecified and directed with regard to the making of new roads; and if any perſon ſhall ride or drive any horſe, beaſt, or cattle knowingly, willingly, or unneceſſarily on any ſuch foot path; ſuch perſon ſhall upon conviction by the oath of any one credible witneſs before any one juſtice of the peace, ſuch juſtice having an eſtate of freehold in lands, tenements, or hereditaments, of the clear yearly value of one hundred pounds at leaſt within ſaid county, within his juriſdiction, or upon the view of any one ſuch juſtice for every ſuch offence forfeit a ſum not exceeding ten ſhillings, to be levied by warrant under the hand and ſeal of ſuch juſtice, by diſtreſs and ſale of the horſe, beaſt, or cattle, ſo ridden or driven on ſuch foot path, or of the goods and chattles of the offender, one moiety of which ſhall go to the informer, and the other to the juſtice towards keeping ſaid foot path in repair; and that in caſe any perſon ſhall find himſelf or herſelf aggrieved under this clauſe by the act of any magiſtrate, that he or ſhe ſhall have power of appealing to the next general quarter ſeſſions to be held for the ſaid county, there to be finally determined as in the caſe of ſervants wages.

riding thereon, or driving cattle, on 1 witneſs before a juſtice of 10ol. a year 10s.

by diſtreſs and ſale,

to informer and the juſtice for ſaid path,

by 19 & 20 *G.* 3. *c.* 44. *ſ.* 10. *whether ſuch juſtice have freehold therein or not.*

appeal to ſeſſions,

where final, as for wages.

XI. And be it further enacted by the authority aforeſaid, that whenever it ſhall happen, that any ſum of money preſented to be raiſed ſhall not be expended agreeable to ſuch preſentment, and accounted for within two years after ſuch preſentment was made, that then it ſhall and may be lawful for the grand jury of the ſaid county at the next preſenting term to repreſent ſuch ſum of money then in the treaſurer's hands to be expended on ſome other work in the barony, upon which the former ſum was preſented to be raiſed, or in the county if it was to be raiſed on

Money not accounted for in 2 years, repreſented on work in the barony or county,

the

the county at large; and that no affidavit accounting for the expenditure of ſaid money ſhall be received or allowed after the expiration of ſaid two years; and that it ſhall and may be lawful for the grand jury of ſaid county at Eaſter and Michaelmas terms every year to preſent all ſuch ſums of money, as now are unpaid or in arrear, and ſhall appear to the grand jury and court of king's bench upon affidavit to have been actually expended by any of the overſeers appointed by former acts, out of any of the ſaid baronies of Balrothery, Coolock, Caſtleknock, Nethercroſs, Newcaſtle, and Rathdowne, to be raiſed and levied on ſuch diſtrict, ward, or denomination, as the ſame was originally required by the treaſurer's warrant to be levied upon, according to the county book or table herein mentioned; and to preſent all ſuch ſums as now are unpaid or in arrear, and ſhall appear to the grand jury and court of king's bench upon affidavit to have been actually expended by any of the overſeers appointed by former acts, out of the barony of Uppercroſs, to be raiſed and levied on ſuch diſtrict, ward, or denomination of the baronies of Uppercroſs, ſaint Sepulchre's, and Donore, conſtituted baronies by this act, as the ſame was originally required by the treaſurer's warrant, to be levied upon, in the proportion following; that is to ſay, upon the barony of Uppercroſs as containing twenty nine thouſand two hundred and eighty one acres; upon the barony of ſaint Sepulchre's, as containing four thouſand ſix hundred and ſeventy eight acres; and upon the barony of Donore, as containing five thouſand ſeven hundred and eighty acres according to the ancient valuation of ſaid diſtricts; and to preſent all ſuch ſums as now are unpaid, or in arrear, and ſhall appear to the grand jury and court of king's bench upon affidavit to have been actually expended by any of the overſeers appointed by former acts out of the county at large, to be raiſed and levied on ſuch diſtrict, ward, or denomination of the county, as the ſame was originally required by the treaſurer's warrant to be levied upon; all which ſeveral ſums ſhall be paid to the different overſeers, who ſhall have expended ſaid ſums of money.

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no affidavit of expenditure allowed after two years,

preſentment of arrears actually expended by overſeers, levied as originally required, by treaſurer's warrant;

XXII. Provided however, that no arrears, which have been uncollected or unpaid for any longer time than five years laſt paſt, ſhall be preſented by virtue of this act; and provided that no more than one half of each ſum remaining unpaid under ſaid preſentments ſhall be preſented at any one preſenting term; and provided, that no ward or conſtablewick ſhall be obliged to pay more of the ſaid arrears, than they really and truly are in arrear for their reſpective proportions of the ſame; it being the true intent

No arrears above 5 years preſented,

half only at 1 term,

each ward or conſtablewick its own proportion,

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intent and meaning hereof, that each ward or conſtablewick ſhall pay and bear its own proportion of the ſaid arrears, ſo far as the ſame may be preſented and raiſed from time to time: and that if it ſhall appear to any judge upon due proof by two credible perſons upon oath at any term within one year after any quere on any preſentment, by which money was granted, has been diſcharged, that the court was deceived by any affidavit for diſcharging ſuch quere, and that the money was not expended agreeable to the preſentment, the court of King's bench may, notwithſtanding ſuch quere was diſcharged, fine or iſſue proceſs in ſuch caſe againſt the overſeer or overſeers mentioned in ſuch preſentment, as if the quere had not been diſcharged.

on oath by 2 in a year of deceit by affidavit on which quere diſcharged, fine or proceſs againſt overſeer.

Warrants by B. R. in nature of execution by ſale or rents and profits to levy arrears of publick money, and pay to their treaſurer,

fees 2s. *per* l.

XXIII. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the juſtices of his Majeſty's court of king's bench in term time to order one or more warrants in the nature of an execution to iſſue, directed to the high ſheriff or other officer lawfully authorized, impowering ſuch high ſheriff or his under ſheriff, lawful deputy, or other officer lawfully authorized, by ſale of the goods and chattles, or a ſufficient part thereof, or by or out of the rents, iſſues, and profits of the lands and tenements of any ſuch treaſurer, collector, or other perſon impowered to collect the publick money, of their executors and adminiſtrators, or of their ſureties, or the executors and adminiſtrators of ſuch ſureties, who ſhall not have accounted for and paid or expended the publick money, they ought to have accounted for and paid, and who ſhall be found to be in arrear for the ſame, or any part thereof, to raiſe, levy, and collect ſuch ſum or ſums of money, for which they ſhall be ſo in arrear, and pay the ſame, when levied, to the then treaſurer of ſaid county; for the collecting of which ſuch high ſheriff or his under ſheriff, or lawful deputy, or other officer lawfully authorized, ſhall be intitled to receive two ſhillings for every pound, he ſhall ſo collect, to be levied in manner aforeſaid from ſuch perſon and perſons againſt whom ſuch warrant ſhall iſſue as aforeſaid: and that it ſhall be lawful for the court of king's bench to enquire of, hear, and determine all and every offence, matter, and cauſe, that ſhall grow, come, or ariſe by reaſon of this ſtatute, and to lay on ſuch reaſonable fines as ſhall be thought meet; which fines ſhall be levied by the high ſheriff or his under ſheriff, or by the collector of any barony, or his deputy, as the court ſhall direct, as all county or barony taxes are hereby appointed to be levied, and ſhall be paid to the treaſurer of ſaid county, to be expended in

B. R. to inquire all offences by this act, and impoſe fines,

levied as county or barony taxes,

paid to treaſurer,

expended as by g. jury,

ſuch manner as the grand jury of ſaid county ſhall direct, after deducting two ſhillings in the pound for levying the ſame.

Preſentment within 4 years of arrears by late treaſurer,

XXIV. And whereas many preſentments made by the grand juries of ſaid county remain unpaid, from the money raiſed from the ſame having been ſecreted and carried away by Charles Alder, the late treaſurer of ſaid county: be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of ſaid county at the next Eaſter or Michaelmas term, or any future Eaſter or Michaelmas term, within the ſpace of four years after the firſt day of May one thouſand ſeven hundred and ſeventy four to raiſe by preſentment ſuch ſums of money off the ſeveral baronies reſpectively, and off the county at large, as ſhall appear to them to have been expended by the overſeers appointed heretofore by preſentment for that purpoſe, or due by preſentment, who by reaſon of the failure of ſaid treaſurer have never been paid the money preſented to them for the uſes aforeſaid; provided that no more than one half of each ſum remaining unpaid by ſaid Charles Alder ſhall be preſented at any one preſenting term within ſaid four years. And that it ſhall be lawful for the grand jury of ſaid county at Eaſter or Michaelmas term in any year to preſent ſuch ſum or ſums of money, as ſhall hereafter be recovered from the ſaid Charles Alder, his executors or adminiſtrators, or from his ſureties, their executors or adminiſtrators, to be expended in ſome work or works in the barony upon which the former ſum was preſented to be raiſed, or in the county, if it was to be raiſed on the county at large, to ſuch uſes as county preſentments are granted.

and of ſums hereafter recovered from him or his ſureties,

expended on works in the barony or county.

After all juſt allowances.

XXV. Provided always, that no ſuch preſentment ſhall be made or allowed, unleſs the ſum ſo preſented ſhall appear to the ſaid grand jury and the court to have been due over and above all payments made by the ſaid treaſurer, and over and above all juſt allowances whatſoever.

Grand jury to appoint overſeers,

XXVI. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of ſaid county to appoint an overſeer or overſeers for the building or repairing of any ſeſſions houſe, gaol, workhouſe, bridge, gullet, pipe, or wall, neceſſary for the ſupport of any road, or for the making, repairing, or preſerving of any road in ſaid county; and that no treaſurer, collector, or other perſon receiving the publick money, ſhall on any account be named or appointed an overſeer in any preſentment in ſaid county.

no receiver an overſeer.

Overſeer dying or unable to attend before accounting,

XXVII. And be it further enacted by the authority aforeſaid, that whenever any overſeer employed in repairing, widening, or amending

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amending roads, or in any publick work in ſaid county, ſhall happen to die, or by ſome ſickneſs or fatality be rendered unable to attend before the preſentment is accounted for, on proof thereof by affidvavit to the grand jury, and to the court of king's bench, or the oath of the ſurvivor or ſurvivors of them, or of thoſe who are able to attend, ſhall be ſufficient: and further, that whenever the overſeer appointed by the grand jury for any work preſented to be done ſhall happen to die, before he has accounted for the ſame, and after a part of the whole of the money preſented for the ſame hath been expended by him in the execution thereof, that in caſe an affidavit, ſworn by any credible perſon, who can read and write, before a judge of the king's bench, in the form preſcribed by this act for the overſeer to have ſworn, be allowed by the grand jury and the court of king's bench in which affidavit, inſtead of the words [*I have faithfully and honeſtly expended*] ſhall be inſerted theſe words [*to the beſt of his belief and opinion was expended by who is now dead*] the money declared by ſaid affidavit to have been expended, together with the wages if preſented, ſhall be paid by the treaſurer; any thing herein contained to the contrary notwithſtanding. And further, that it ſhall be lawful for the grand jury at any of the terms, if it ſhall appear to them, that any of the overſeers employed by them under this act have not performed the truſt repoſed in them with propriety and fidelity, to diſcharge ſuch overſeer or overſeers from their office, and to appoint in his or their place ſuch overſeer or overſeers as to them ſhall ſeem expedient, who ſhall be conſidered to all intents and purpoſes the ſame as the perſon or perſons originally appointed by ſaid grand juries.

oath of the others ſufficient, on affidavit of expenditure, as preſcribed for overſeer, paid, with wages if preſented,

grand jury may diſcharge and appoint overſeers.

Treaſurer's ſalary not above 100l. yearly,

XXVIII. And be it further enacted by the authority aforeſaid, that the grand jury of ſaid county at Eaſter and Michaelmas terms every year ſhall be impowered to preſent any ſum, not exceeding fifty pounds at each of ſaid terms, making in the whole one hundred pounds yearly, to be paid to the treaſurer of ſaid county for his ſalary, in lieu of the ſum of twenty pounds yearly which he now receives; and alſo that the treaſurer of ſaid county ſhall, in caſe the grand jury and court of King's bench ſhall not approve of the ſecurity given at the quarter ſeſſions, or that no ſecurity has been there given, but not otherwiſe, upon his entering into office give ſecurity by recognizance with two or more ſufficient ſureties, to be approved of by the grand jury and court of King's bench, jointly and ſeverally in the ſum of ten thouſand pounds, conditioned that ſuch treaſurer ſhall well and truly execute ſaid office, and account for all ſuch ſums

if treaſurer's ſecurity at ſeſſions not approved, or if none, recognizance with ſureties in 10000l. to be approved by grand jury and B. R.

of

of the publick money, as ſhall come to his hands, when and as often as he ſhall be required ſo to do by the grand jury of the ſaid county at each and every term, or by the juſtices of the peace for the ſaid county at each and every quarter ſeſſions of the peace to be held in and for the ſaid county; and in caſe the ſaid treaſurer neglects to give the ſaid ſecurity, and to produce the ſaid ſecurities, that he ſhall vacate his office; and that the juſtices of the peace ſhall at the next enſuing quarter ſeſſions proceed to the election of a new treaſurer; but ſhall not upon any account appoint again the former one, who has ſo neglected to give his ſecurity; and that ſaid treaſurer ſhall make up his accounts upon oath of all his receipts and payments at Eaſter and Michaelmas terms every year, and lay them fairly written the laſt day of ſaid terms, or ſooner if required, before the grand jury of ſaid county, to be viewed, allowed, or diſapproved of by the ſaid grand jury, who ſhall cauſe the ſame to be entered in the county book, with ſuch remarks as they ſhall think fit to make thereon; and that ſaid treaſurer ſhall not compound for any money to be raiſed on the publick, nor make any deductions whatſoever for any ſum he ſhall pay to any perſon, but ſuch as he ſhall account for; and if the treaſurer of ſaid county ſhall offend herein, or neglect to make up his accounts aforeſaid, or to keep an office open every day, (Sundays excepted) for the ſpace of eight days immediately after each of the terms in every year, from the hours of nine in the morning 'till three in the afternoon, within the city or precincts of the city of Dublin, or ſhall during that time refuſe to pay the amount of any queries, that ſhall have been diſcharged if demanded without fee or reward, (if he ſhall have publick money to pay the ſame) he ſhall be fined by the court of king's bench, or be committed without bail or mainprize to the county gaol, at the diſcretion of the ſaid court of king's bench; and that the grand jury of the ſaid county at any of the terms, and not elſewhere, ſhall appoint proper perſons for each barony, reſident in ſaid barony, to collect the money preſented to be raiſed upon each of the baronies in ſaid county; as alſo the proportion of ſuch barony ſo preſented to be raiſed on the county at large; and may preſent any ſum not exceeding nine pence in the pound to be raiſed and paid as wages for collecting the ſame: provided that the ſaid ſum preſented as wages ſhall not be raiſed, unleſs the perſon or perſons, who ſhall ſo collect, ſhall enter into recognizance with two ſufficient ſureties in ſuch ſum of money, as ſhall be approved of by the grand jury at the term, for the collecting and paying off all

or office vacated, a new one next ſeſſions,

account on oath at Eaſter and Michaelmas yearly, laid before grand jury,

entered with remarks,

no compoſition or deduction made.

not ſo accounting, or keeping office open 8 days after each term from 9 'till 3, not paying queries diſcharged,

fine or impriſonment,

barony collectors reſident appointed at the terms only,

wages not above 9d. per l.

on recognizance with 2 ſureties approved by grand jury to pay treaſurer by ſecond day of next preſenting term,

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all ſuch publick money, as he or they are required to collect, to ſuch treaſurer or his ſucceſſors, treaſurers of ſaid county, on or before the ſecond day of the next preſenting term, (which recognizances ſhall be lodged with the clerk of the peace, to be kept amongſt the records of the county;) and that every collector appointed as aforeſaid may by writing under his hand and ſeal appoint a deputy collector or deputy collectors to aſſiſt him in collecting the publick money, for whom he ſhall be anſwerable; and in caſe the grand jury ſhall neglect or omit to appoint a collector for any barony in ſaid county, or that a collector appointed ſhall fail to give the ſecurity required, the high conſtable of ſaid barony ſhall to all intents and purpoſes be deemed the collector within his diſtrict; and ſhall in like manner on giving the ſecurity aforeſaid, and not otherwiſe, be entitled to receive the ſum preſented for the collectors fees as wages for his trouble in collecting ſuch publick money; and the ſeveral conſtables in ſaid county are hereby required to aid and aſſiſt the collector or collectors, deputy collector or deputy collectors, or high conſtable of ſaid county, in collecting the publick money ſo preſented to be raiſed in ſaid county, as alſo all perſons impowered to levy publick money, which if any conſtable ſo required ſhall refuſe or neglect to do, every ſuch conſtable ſo refuſing or neglecting ſhall upon conviction by the oath of two credible witneſſes before any two juſtices of the peace of ſaid county within their juriſdiction forfeit for every ſuch offence a ſum not exceeding ten pounds, to be levied, together with the charges by diſtreſs and ſale of the goods of the offender by the warrant of any two juſtices of the peace for ſaid county; and that all perſons, impowered to levy or collect publick money, ſhall and may and are hereby impowered to levy the ſame by diſtreſs and ſale of the goods and chattles of all ſuch perſons, who ſhall refuſe or neglect to pay the ſame, and after the ſale of ſuch diſtreſs to retain the money, which the ſaid perſon ought to pay, rendering the overplus, if any, after deducting one ſhilling in the pound for the trouble of levying the ſame, or one ſhilling for every warrant.

lodged with the clerk.

collectors may under ſeal appoint deputies,

anſwerable,

if no appointment or ſecurity, high conſtable collector,

and on ſecurity intitled to wages,

conſtables to aſſiſt in collecting,

on refuſal, 10l. on 2 witneſſes before 2 juſtices,

publick money levied by diſtreſs & ſale,

fees, 1s. per l. or warrant,

XXIX. And be it further enacted by the authority aforeſaid, that if any collector appointed by the grand jury of ſaid county ſhall happen to die, before he ſhall have collected the publick money, it ſhall be lawful for the juſtices of the peace of ſaid county at the quarter ſeſſions or any adjournment thereof to appoint another fit and proper perſon to collect the publick money in the place of ſuch collector deceaſed, upon his giving

Collector dying, another appointed at ſeſſions on ſecurity, 'till appointment by grand jury.

ſecurity

ſecurity to perform the requiſites aforeſaid, until a collector ſhall be appointed by the grand jury of ſaid county at the terms.

County preſentment for ſecretary 10l. each term,

XXX. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the grand jury of ſaid county at Eaſter or Michaelmas term every year by preſentment to raiſe ſuch ſum of money, as they ſhall think fit, not exceeding ten pounds at each of ſaid terms, making in the whole twenty pounds a year, on ſaid county at large, for paying a ſecretary for his trouble in drawing and entering the preſentments, and attending ſuch grand jury during the terms; and that it ſhall be lawful for the grand jury of the ſaid county to preſent any ſum, not exceeding ten pounds at each of the quarter ſeſſions, to be paid to the clerk of the peace, ſheriff, and gaoler, for diſcharging priſoners without fees, who ſhall be recommended and preſented, purſuant to an act of parliament now in being in this kingdom; and alſo any ſum of money, not exceeding five pounds, at each of ſaid quarter ſeſſions, making in the whole twenty pounds a year, to be paid to the clerk of the peace of ſaid county for his trouble in executing ſaid office.

10l. each ſeſſions for diſcharging without fees;

5l. each ſeſſions to clerk of peace.

Grand Jury yearly at general ſeſſions to appoint high conſtables, & 4 ſub. each barony.

XXXI. And be it further enacted by the authority aforeſaid, that the grand jury of ſaid county ſhall every year at the general quarter ſeſſion appoint a proper perſon to be high conſtable for each of the ſaid baronies in ſaid county, except the baronies of ſaint Sepulchre's and Donore, and ſhall alſo appoint four proper perſons to be ſub-conſtables for each ſuch barony to preſerve the peace at the quarter ſeſſions and elections and at all times in ſaid county, and may, if they ſhall think proper, at Eaſter and Michaelmas terms preſent any ſum, not exceeding eight pounds, to be raiſed upon ſuch barony, half barony, or diviſion, to be paid to ſuch four ſub-conſtables for their trouble in executing ſaid office by the treaſurer of ſaid county, upon their producing to him a certificate from the clerk of the peace of ſaid county, that they had at ſome quarter ſeſſions or adjournment thereof for ſaid county ſince their appointment to ſuch office duly qualified themſelves, agreeable to an act paſſed in the ſecond year of her late Majeſty Queen Anne, intitled, *An act to prevent the further growth of popery*; and that if any lordſhip, manor, or pariſh ſhall be ſo large, that one conſtable ſhall not be ſufficient to do the whole office of conſtable within the ſaid lordſhip, manor, or pariſh, it ſhall be lawful to make and appoint two or more conſtables for ſuch lordſhip, manor, or pariſh, in ſuch manner as ſuch one conſtable was formerly appointed for the ſame,

may at terms preſent 8l. for ſuch 4 ſub conſtables on certificate of qualifying as by 2 *Anne*, c. 6.

in large manor or pariſh may appoint 2 or more conſtables,

whihc

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which ſaid new conſtable or conſtables ſhall have ſuch and the ſame power and authority, as any other conſtable hath, or by the law of this realm ought to have.

Clerk of crown & peace to file affidavits, maps, & eſtimates,

XXXII. And be it further enacted by the authority aforeſaid, that the clerk of the crown at the term, and clerk of the peace at the quarter ſeſſions, ſhall file and keep amongſt the records of ſaid county all affidavits, maps, plans, and eſtimates, made purſuant to this act, and ſhall within four days after Eaſter or Michaelmas term, and after the quarter ſeſſions, in every year deliver to the treaſurer of ſaid county without fee or reward copies of all the preſentments made at ſaid terms, and alſo of all queries diſcharged at the ſame, ſigned by himſelf; and for every default thereof that he ſhall forfeit the ſum of five pounds, to be recovered by any perſon who ſhall ſue for the ſame by civil bill; and that the treaſurer of ſaid county ſhall give copies of any ſuch preſentments, as he ſhall receive from the clerk of the crown, to any of the overſeers mentioned in ſuch preſentment, or to their order on demand, within ten days after ſuch overſeer ſhall ſo apply to him for the ſame, without fee or reward; and that the treaſurer of ſaid county ſhall, within one month after he ſhall have received ſuch copies of the preſentments, iſſue his warrants to the ſeveral perſons, who under the proviſion in this act are to be the collectors, for levying and collecting the ſums to be raiſed off each barony, in order to anſwer the preſentment made at ſuch term, which ſums every perſon, to whom ſuch warrant is directed, is hereby impowered and required to raiſe and levy, and to pay the ſame to the treaſurer on or before the ſecond day of the next preſenting term: and in caſe any perſon ſhall refuſe to pay his or her proportion thereof, ſuch perſon, as ſhall be empowered to collect the ſame, ſhall and may levy the ſame by diſtreſs and ſale of the goods and chattles of ſuch perſon, rendering to him or her the overplus, if any, after deducting thereout at the rate of twelve pence for each pound for his trouble in making ſuch diſtreſs: and in every ſuch warrant ſhall be inſerted the names of the ſeveral manors, pariſhes, or denominations contained in that portion of the county, which ſuch perſon is to collect from, as the ſame is contained in the county book or table mentioned in this act, and alſo the whole ſum to be collected by ſuch perſon, and the portion thereof which each manor, pariſh, or denomination is to pay.

& in 4 days after terms & ſeſſions give treaſurer copies of preſentments & queries diſcharged, ſigned,

penalty 5l. by civil bill,

copies ſuch preſentments by treaſurer to overſeers in 10 days after applying,

& in 1 month warrants to collectors to levy,

raiſed & paid to treaſurer by 2d of next term,

on refuſal, diſtreſs & ſale,

fee 12d. per l.

denominations as in the table, the whole ſum & portion of each inſerted.

On replevin or other proceſs collectors may avow on this act.

XXXIII. And be it enacted by the authority aforeſaid, that in caſe any perſon or perſons ſhall at any time hereafter bring, or cauſe to be brought, any replevin or replevins, or any other

proceſs of law, ſo as to prevent or obſtruct the levying of all or any part of the publick money under this act, that then, and in that caſe, the conſtable, or other collector who ſhall diſtrain for the ſame, ſhall be enabled to ſupport ſuch taking in due form of law by avowing on the authority of this act, and that ſuch avowant ſhall not be obliged to give any other matter in evidence on the trial of ſuch ſuit in replevin, other than this act, and that he was ſo legally authorized to take ſuch diſtreſs under and by virtue thereof; and that if the plaintiff or plaintiffs in ſuch replevin, or the perſon or perſons bringing or cauſing to be brought ſuch replevin, ſhall be nonſuited, or a verdict againſt them, or judgment on a demurrer, that then and in that caſe he, ſhe, or they ſhall pay treble coſts; and that the grand juries at the terms ſhall have a power to appoint ſuch perſon or perſons, as they ſhall think moſt proper, to conduct, proſecute, or defend ſuch ſuits in replevin, as alſo to proſecute all treaſurers, collectors, high or petty-conſtables, or any other perſon or perſons in any ſort concerned in collecting or receiving the publick money, or any part thereof, or the executors and adminiſtrators, or their ſureties, or their executors and adminiſtrators.

on nonſuit &c. treble coſts,

Grand Jury may appoint to proſecute or defend.

XXXIV. And whereas it has been found very difficult in many caſes to aſcertain the proportion, each perſon is to pay, whereby much obſtruction has ariſen to the collection of the money required by the treaſurer's warrant to be levied: therefore be it further enacted by the authority aforeſaid, that every collector, or perſon empowered to collect the ſame, to whom ſuch warrant ſhall be ſent, ſhall within ten days after the receipt thereof deliver, or cauſe to be delivered, to the ſeneſchal of ſuch manor, if reſident therein, or if the ſeneſchal doth not reſide in it, or if there be no ſeneſchal, then to either of the church wardens of each pariſh or denomination of land, or parcel of pariſh or denomination of land, or precinct of any liberty or juriſdiction mentioned in ſuch warrant, or if there be no ſuch church-wardens, or if they do not reſide therein, then to the miniſter or curate of each pariſh or denomination of land, or parcel of pariſh or denomination of land mentioned in ſuch warrant, or if there be no ſeneſchal, church wardens, nor miniſter, nor curate of ſuch pariſh or denomination of land, or parcel of pariſh or denomination of land, or if none of them reſide therein, then to any principal reſiding inhabitant, whenever he ſhall be required ſo to do by any two landholders of any ſuch manor or denomination of land, or whenever he ſhall find it neceſſary ſo to do, a fair tranſcript of ſuch warrant, ſigned by himſelf; at the bottom or on the back of which tranſcript he ſhall deſire the ſum required

Collectors in 10 days after receiving treaſurer's warrant to deliver to ſeneſchal reſiding, if none to either church-warden, or miniſter, or curate, if none to any principal reſident, when required by 2 landholders, or if neceſſary, a tranſcript ſigned, deſiring equitable applotment as by the table.

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by ſuch warrant to be applotted equitably upon the ſaid manor, pariſh, or denomination of land or parcel of pariſh, or denomination of land, or precinct of any liberty or juriſdiction, according to the applotment in the county book or table mentioned in this act; and the leaving ſuch tranſcript at the place of abode of or the delivering it to any ſeneſchal, or church warden, miniſter or curate, or principal reſiding inhabitant, ſhall be atteſted by the oath of the perſon leaving or delivering it, and alſo by the oath of one credible witneſs; which oath any juſtice of the peace of ſaid county is hereby required to adminiſter; and any perſon, to whom ſuch tranſcript ſhall be delivered, is hereby required to poſt up within ſix days after the leaving or delivering thereof on the door of the church, or, if there be no church, in which divine ſervice is conſtantly performed, on any conſpicuous place in the ſaid manor, pariſh, or denomination of land, a notice ſigned by himſelf, ſetting forth, [That the landholders and inhabitants of are hereby required to meet at on the day of to chuſe two or more perſons to applot the ſum of required to be levied upon the ſaid manor, pariſh, or denomination, by the warrant of the treaſurer of this county:] at which meeting the landholders and inhabitants then preſent ſhall chuſe two or more perſons to be applotters; and the perſons ſo choſen ſhall applot the ſame fully and juſtly, as ſoon as they conveniently can; and, making two fair copies or tranſcripts of their applotment, ſhall make oath before any juſtice of the peace of ſaid county, which oath ſhall be recorded on the back or at the bottom of each copy or tranſcript, that they have made the ſaid applotment fully and juſtly according to the beſt of their ſkill without favour, affection, or malice; and ſhall, within thirty days after being ſo choſen, deliver one of ſaid tranſcripts or copies of their applotment to the collector or perſon empowered to collect the ſame, and depoſite the other in the hands of the perſon, or in the hands of the executor or adminiſtrator of the perſon, by whom the notice of the meeting of the landholders had been poſted, under the penalty of forfeiting for every day they ſhall omit to deliver the ſame after the ſaid thirty days the ſum of ten ſhillings, to be recovered by civil bill at the quarter ſeſſions for ſaid county by any perſon, who ſhall ſue for the ſame; and the collector or perſon impowered to collect the ſame on receiving ſuch full and ſufficient applotment is hereby authorized and required to levy the ſaid money according thereto, and alſo ten ſhillings for the applotment fees, by diſtreſs and ſale of the goods

oath of ſervice & of 1 witneſs,

in 6 days notice of meeting poſted,

applotters choſen by landholders & inhabitants preſent,

2 copies of applotment on oath recorded on each,

in 30 days one to the collector, one to the poſter of notice,

penalty 10s. *per* day by civil bill.

applotment & 10s. fees levied by diſtreſs & ſale,

of every perſon refuſing to pay the proportion herein applotted for him or her to pay, rendering the overplus, if any, to the owner; and in caſe no full and ſufficient applotment ſhall be returned within thirty ſix days, after ſuch tranſcript of the warrant was left at the uſual place of abode, or delivered to the ſeneſchal, church warden, miniſter, curate, or principal reſiding inhabitant, and in caſe there ſhould have been an applotment before made under this act of ſuch manor, pariſh, or denomination of land, that ſuch collector or perſon impowered to collect the ſame may and ſhall levy the ſame according to ſuch applotment; but in caſe there ſhould have been no ſuch applotment made, ſaid collector, or perſon impowered to collect the ſame, may and ſhall applot ſuch ſum himſelf; and having made oath before any juſtice of the peace for ſaid county, that he hath applotted it juſtly to the beſt of his ſkill, he may and ſhall collect the ſame from the landholders of ſuch manor, pariſh, or denomination of land, by diſtreſs and ſale of their goods; and every applotment made in conſequence of this act ſhall be delivered by the perſon, who collected according to the ſame, to be depoſited by the treaſurer among the records of the county.

if no full applotment in 36 days, levied as by a former,

if none, by the collector on oath,

depoſited with treaſurer.

XXXV. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for any perſon, who ſhall think himſelf or herſelf aggrieved by the preſentment of any grand jury, to enter one or more traverſe or traverſes in open court to ſuch preſentment, which traverſe or traverſes ſhall be tried immediately, or at the next term or quarter ſeſſions, according as the preſentments ſhall have been made; and if the jury, who ſhall try ſuch traverſe or traverſes, ſhall not confirm ſuch preſentment, then and in ſuch caſe the money, which ſhall be raiſed by preſentment, ſhall be repreſented by the grand jury to ſome other work in the barony, in which it was raiſed, if it was a barony charge, or in the county if ſuch ſum was preſented on the county at large; provided that ſuch traverſer or traverſers ſhall give ſufficient ſecurity before the court of king's bench to pay full coſts, in caſe the jury to try ſuch traverſe or traverſes ſhall confirm the preſentment, * ſhall not ſtop the raiſing of ſuch money agreeable to the preſentment.

Preſentment traverſed,

tried immediately, or next term or ſeſſions,

if not confirmed, repreſented to work in the barony or county,

ſecurity by traverſer before B. R. to pay full coſts.

XXXVI. Provided always, that ſuch traverſe may be tried upon the entry of any preſentment in the crown book, and the traverſe taken thereto, without making up any record for that purpoſe.

Tried on entry in crown book.

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The table or rate of aſſeſſment.

XXXVII. And whereas the following has been for time immemorial conſidered as the table or proportionable rate of aſſeſſment of ſaid county (except thoſe parts relating to part of the liberty of ſaint Sepulchre's, including the precincts of the cathedral church of ſaint Patrick's, and the liberty of Donore) which laſt mentioned parts are deemed to have been over-rated by the antient county book or table: be it enacted by the authority aforeſaid, that in order to prevent any future diſpute the following may at all times hereafter be conſidered, and may hereby be declared to be, the real and authentick rule, by which ſaid county is to be aſſeſſed, and the treaſurer is hereby required to iſſue his warrant purſuant to the ſame:

Barony of Upper-Croſs.

Tallaght, five thouſand one hundred and thirty five acres; Clondalkin pariſh, two thouſand and eighty acres; Clondalkin town, one thouſand and thirty eight acres; Rathcoole town, one thouſand two hundred and forty one acres; Rathcoole pariſh, one thouſand three hundred and fifty nine acres; part of Kevin's without on the ſouth ſide of the circular road, one thouſand ſeven hundred and ninety acres; Ballymore-Euſtace, two thouſand acres; Milltown Dunlavin, one thouſand four hundred acres; Ballybogh, eight hundred and forty acres; Tipper-Cavan, one thouſand acres; Shankill, one thouſand and one acres; Dalkey, one hundred and fifty eight acres. Total of the barony of Upper-Croſs, nineteen thouſand and forty two acres.

Barony of Nether-Croſs.

Swords, three thouſand five hundred and thirty five acres; Finglaſs, two thouſand and twenty three acres; Luſk, three thouſand ſeven hundred and eighty ſeven acres; Clonmelkin, two thouſand three hundred and thirty three acres; Portrane, ſeven hundred and five acres; town and liberty of Swords, one thouſand two hundred and twenty ſeven acres. Total of the barony of Nether-Croſs, thirteen thouſand ſix hundred and ten acres.

Barony of Newcaſtle.

Newcaſtle, two thouſand acres; Saggart, two thouſand acres; Kilmatalway, one thouſand five hundred acres; Eſker, one

thouſand five hundred acres; Rathfarnham, one thouſand two hundred acres; Lucan, one thouſand two hundred acres; Kilmainham, one thouſand two hundred acres; Ballyſarmott, five hundred acres; Palmerſtown, ſeven hundred acres; Cruah, one thouſand eight hundred acres; Crumlin, one thouſand two hundred acres. Total of the barony of Newcaſtle fourteen thouſand eight hundred acres.

Barony of Balrothery.

Balrothery, three thouſand acres; Balſcaddan, one thouſand nine hundred and ninety one acres; Holmpatrick, one thouſand and ſixty three acres; Weſt Luſk, one thouſand eight hundred and forty five acres; Eaſt Luſk, two thouſand five hundred and one acres; Ballydungan, four hundred and fifty acres; Naul, one thouſand four hundred and eleven acres; Weſtpalſtown, eight hundred and eighty four acres; Ballymadun, one thouſand ſeven hundred and twenty ſix acres; Garriſtown, two thouſand and ſeventy two acres; Hollywood, two thouſand five hundred and ninety nine acres; Ballyboghill, one thouſand eight hundred and ninety two acres; Palmerſtown, eight hundred and fifty one acres; Dunabate, one thouſand five hundred and ſixty acres. Total of the Barony of Balrothery twenty three thouſand eight hundred and forty five acres.

Barony of Rathdowne.

Monktown, one thouſand two hundred and fifty three acres; Donnybrook, ſix hundred and forty eight acres; Tanee, two thouſand five hundred and ninety one acres; Kill, two thouſand and thirty acres; Killany, five hundred and forty two acres; Killgobbin, ſeven hundred and fifty acres; Old Conagh, ſeven hundred acres; White-church, one thouſand five hundred acres; Rathmichael, four hundered and ſixty acres; Tallow, one thouſand five hundred and thirteen acres; Kilternan, four hundred and fifty acres. Total of the barony of Rathdowne twelve thouſand four hundred and thirty ſeven acres.

Barony of Caſtleknock.

Caſtleknock, three thouſand four hundred and ſixty five acres; Malahodart, two thouſand one hundred and ninety eight acres; Killſillaghan, one thouſand four hundred and forty eight acres; the Ward, ſeven hundred and twenty nine acres; Clonſillagh,

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one thouſand ſix hundred and fifteen acres; Cloghran, three hundred ſixty two acres; Chapel-izod, two hundred and ninety two acres. Total of the barony of Caſtleknock ten thouſand one hundred and nine acres.

Barony of Coolock.

Killoſary, nine hundred acres; Kilbegh, five hundred acres; ſaint Margaret's, one thouſand one hundred and forty acres; Santry, two thouſand three hundred and ſixty acres; Cloghran, nine hundred and ninety four acres; Mallahyde, ſix hundred and ſix acres; Ballgriffin, five hundred and forty acres: Portmarnock, one thouſand and twenty acres; Howth, one thouſand ſeven hundred and ſeventy two acres; Rathenny, four hundred and forty acres; Coolock, one thouſand one hundred and ninety nine acres; Grange-gorman, four hundred and fifty acres; Clontarf, five hundred and thirty five acres; Clonturk, eight hundred acres; Glaſſnevin, ſix hundred acres; Kingſalley, one thouſand three hundred and thirty nine acres; Balldoyle, four hundred and fifty acres; Killeſter, one hundred and fifty acres; Artain, five hundred and fifty ſeven acres. Total of the barony of Coolock ſixteen thouſand one hundred and fifty two acres.

Barony of Saint Sepulchre's.

Patrick's-Cloſe, four hundred and twenty four acres; Kevin's within, three hundred and ſix acres; New-ſtreet and Poddle, ſix hundred and forty two acres; part of Kevin's without to the north of the circular road, two hundred acres. Total of the barony of ſaint Sepulchre's one thouſand five hundred and ſeventy two acres.

Barony of Donore.

Donore, two thouſand eight hundred and ninety acres.

Overſeers may raiſe materials in that or adjoining county,

XXXVIII. And that any overſeer or overſeers appointed under this act ſhall be impowered to dig for, raiſe, and carry away any gravel, ſtones, ſand, or other materials, which may be wanted for the building, rebuilding, enlarging, or repairing of any ſeſſions houſe, gaol, work houſe, bridge, gullet, pipe, or wall neceſſary for the ſupport of any road, or for the making, repairing, or preſerving of any road, where ſuch overſeer ſhall judge

moſt convenient, whether it be in ſaid county or in an adjoining county; but that it ſhall not be lawful to or for the overſeer or overſeers of any road, bridge, or wall, to ſearch for, dig, raiſe, or carry away any gravel, ſtones, ſand, or other materials, except ſuch looſe gravel or other ſtones as may be thrown up in the tide, from any beach or ſea ſhore, which beach or ſea ſhore is a publick road, or a bulwark or defence to any towns, ground, or publick roads adjoining the ſame; and that any perſon, who ſhall be convicted thereof on the oath of any one credible witneſs before any one juſtice of the peace within his juriſdiction, ſhall for every ſuch offence forfeit the ſum of five ſhillings for every cart load or car load of ſuch gravel, ſtones, ſand, or other materials ſo dug, raiſed, or carried away, any thing in this act to the contrary notwithſtanding: and that it ſhall be lawful to make drains in order to carry off the water, that may injure any bridge, gullet, pipe, wall, or road in or through the lands of any perſon, not being a deer park, garden, orchard, haggard, or yard, or in the planted walk, avenue, or lawn to the manſion houſe of any perſon; and that ſuch overſeer ſhall make ſuch ſatisfaction, to be recovered by civil bill at the quarter ſeſſions againſt ſuch overſeer in caſe of refuſal, to the owner or occupier of the land, for what damage may be done by digging, raiſing, and carrying away ſuch gravel, ſtones, ſand, or other materials, or making ſuch drains, as ſhall be aſſeſſed by three ſubſtantial houſeholders of ſaid county, one to be named by each of the parties, and the third by the next or any neighbouring juſtice of the peace, who ſhall be ſworn by ſuch juſtice of the peace to be appraiſers of ſuch damages, and to make a true eſtimate of ſuch damages according to the beſt of their ſkill; and that if any perſon ſhall obſtruct or prevent ſuch overſeers in digging for, raiſing, or carrying away ſuch materials, or in making ſuch drains, ſuch perſon ſhall upon conviction by the oath of one credible witneſs before any one juſtice of the peace for ſaid county forfeit for every ſuch offence a ſum not exceeding five pounds; to be levied together with the charges by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace of ſaid county, who ſhall be poſſeſſed of a clear yearly eſtate of one hundred pounds in ſaid county in lands, tenements, and hereditaments.

not from any beach, a road or bulwark except thrown in the tide,

penalty 5s. per. load

may make drains, not thro' deer park, garden, &c.

ſatisfaction to owner or occupier aſſeſſed by 3 houſeholders, named by each and a juſtice, and ſworn to appraiſe,

recovered by civil bill,

obſtructing overſeers 5l. on 1 witneſs, on warrant of 1 juſtice of 100l. a year in the county,

XXXIX. And that a ſufficient recompence may be made to the overſeer, in caſe he ſhall have paid the damages, or to the perſon injured by the taking of any ſuch materials as ſhall be neceſſary for the building, rebuilding, enlarging, or repairing of any ſeſſions houſe, gaol, work houſe, bridge, gullet, pipe, or wall

Eſtimate of damages, ſworn to before 2 juſtices, laid before next grand jury,

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wall neceſſary for the ſupport of any road, be it further enacted by the authority aforeſaid, that the eſtimate of ſuch damages as aforeſaid, made by the perſons appointed for that purpoſe, and ſworn to by them before two juſtices of the peace of ſaid county, may be laid before the next grand jury of ſaid county at Eaſter or Michaelmas term, who may preſent ſuch ſum or ſums of money, as they ſhall think proper, not exceeding the ſaid eſtimate, to be raiſed off the county at large, and paid to ſuch perſons by the treaſurer of ſaid county; and that every ſuch overſeer may give notice to the owner or occupier of the land adjoining to the roads, he is appointed to overſee, to ſcour the drains or ditches, or to cut or clip the hedges of the ſides of ſuch roads at a height not exceeding five feet; which if the owner or occupier ſhall neglect to do within ten days after the ſerving ſuch notice, any juſtice of the peace of ſaid county, who ſhall be poſſeſſed of a clear yearly eſtate of one hundred pounds in ſaid county in lands, tenements, or hereditaments, may by warrant under his hand and ſeal order the overſeer of ſuch road to have the ſaid drains or ditches effectually ſcoured, or the hedges cut or clipped; and may by ſuch warrant authorize ſuch overſeer to levy the expences attending thereon off the goods and chattles of ſuch owners and occupiers, together with ſuch wages to the ſaid overſeer as the ſaid juſtices ſhall think fit, not exceeding eighteen pence for each day that the ſaid overſeer ſhall neceſſarily be employed in attending and performing ſuch work: provided that no ſuch notice ſhall be given during the time of the hay or corn harveſt.

preſented on county, not exceeding the eſtimate,

notice to ſcour ditches or clip hedges to 5 feet.

on neglect 10 days, a warrant by a juſtice of 100l. a year to do it, and levy expence with wages not above 18d. per day,

not in harveſt.

XL. And be it further enacted by the authority aforeſaid, that if the owner or occupier of any land or houſe adjoining any publick road ſhall, after notice given to him or her by the overſeer of ſuch road, or by the ſub-conſtable of the barony, or any other perſon, to remove any dunghill, dirt, rubbiſh, or other nuiſance, which may be laid upon any part of ſuch road oppoſite to his or her land or houſe, or within twenty one feet of the centre of ſuch road, or to make ſewers or pipes for the free paſſage of any water that may be obſtructed by the means of any ſtoppage in the ditch or drain of his or her land, or by the paſſing of cattle into his or her land, or to his or her houſe from ſuch road, ſo as to injure ſuch road, forty eight hours next after ſervice of ſuch notice perſonally or at his or her houſe or uſual place of abode, that then and in every ſuch caſe the overſeer of the ſaid road, or the ſub-conſtable of the barony, or any other perſon, may complain of the refuſal or neglect to remove the ſaid dunghill,

Not removing nuiſance 48 hours after notice, warrant by a juſtice of 100l. a year to appear in 6 days to anſwer complaint.

dunghill, dirt, rubbiſh, or other nuiſance, or to make ſuch ſewers or pipes by the ſaid owner or occupier of ſuch land or houſe, to any juſtice of the peace for ſaid county, having an eſtate of freehold in lands, tenements, or hereditaments, of the clear yearly value of one hundred pounds at leaſt within ſaid county, and thereupon it ſhall be lawful for the ſaid juſtice of the peace to iſſue his warrant or ſummons, requiring the party or parties ſo complained of to appear before him at a certain place therein mentioned within ſix days after ſuch ſervice of the ſaid warrant or ſummons to anſwer the ſaid complaint; and the ſaid juſtice ſhall and may in the preſence of the ſaid party or parties complained of, or in his, her, or their abſence, if duly ſummoned he, ſhe, or they refuſe or neglect to appear at the time and place appointed in ſuch warrant or ſummons, examine into the matter of the ſaid complaint; and if it ſhall be manifeſt to the ſaid juſtice upon ſuch examination by confeſſion of the party, or upon oath of one credible witneſs, that the ſaid complaint was well founded, it ſhall and may be lawful for every ſuch juſtice of the peace, upon every ſuch offence proved as aforeſaid, to fine the owner or occupier of ſuch land or houſe in any ſum not exceeding twenty ſhillings, for each and every day the ſame or any part thereof ſhall after the ſaid ſpace of forty eight hours be permitted to remain, and by his warrant or warrants to levy the ſame by diſtreſs and ſale of the offender's goods; and the money ariſing by ſuch ſale, over and above the amount of the ſaid fine, to pay to the ſaid owner or occupier of the ſaid land or houſe; and the ſaid fine, levied as aforeſaid, the ſaid juſtice ſhall apply in manner following, (that is to ſay) in the firſt place to defray the expence of removing the ſaid dunghill, dirt, rubbiſh, or other nuiſance, and in making ſuch ſewers or pipes, and the reſidue of the ſaid fine the ſaid juſtice ſhall pay to the miniſter and church wardens of the pariſh, wherein ſuch dunghill, dirt, or rubbiſh, or other nuiſance ſhall have been laid, or ſuch drains or pipes ſhall have been made, for the uſe of the poor of ſaid pariſh.

if on 1 witneſs well founded, owner or occupier of the land or houſe fined not above 20s. each day permitted to remain after 48 hours, by diſtreſs and ſale,

to removing the nuiſance, and to pariſh poor.

XLI. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall build any houſe, except where a houſe now ſtands, or part of a houſe, within ſixteen feet of the centre of any road, except the ſame lies within the city of Dublin or in market towns, or keep any cur dog, maſtiff, or bull dog, at any houſe within fifty yards of any road without having a block of wood of the weight of five pounds at the leaſt faſtened to the neck of every ſuch dog, or ſhall lay any turf, dung, dirt,

Building, unleſs where a houſe now ſtands, in 16 feet of centre, except in *Dublin* or market towns,

keeping a dog within 50 yards, without 5lb. block,

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dirt, ſtraw, rubbiſh, or the ſcouring of any ditches or drains, or other filth, or any ſtones or timber upon any part of any road, or within twenty one feet of the centre of any road, or ſhall ſteep or dry any flax, or burn any weeds or bricks, within one hundred yards of any road, or build any lime kiln within twenty yards of any road, or ſhall cut any turf or make any turf ſtack within twenty feet of the centre of any road, or ſhall pull down any part of any bridge, or injure any mile ſtone or finger poſt, or ſhall dig any pit, or make any ditch, or put up any ſign poſt or may buſh, within twenty five feet of the centre of any road, or ſhall leave any car or cart in the night time between ſun ſet and ſun riſe on any part of any road, through which travellers generally paſs, or which lead to any church or church yard, without leaving a paſſage of twenty one feet at leaſt in the clear, or winnow any corn on any part of any road, or ſhall alter any road not being authorized ſo to do by due courſe of law, or ſhall leave the carcaſe of any dead horſe, mule, aſs, or other beaſt, or ſkin of any dead horſe, mule, aſs, or other beaſt on any road or within one hundred yards of the centre of any road, or ſhall lead or drive any car or cart with timber, boards, or iron laid croſsways on ſuch car or cart, which ſhall project beyond either ſide of ſuch car or cart, or turn the courſe of any water upon any road ſo as to injure it, or ſcrape the gravel off any road, ſhall upon conviction by the oath of one credible witneſs before any juſtice of the peace of ſaid county, or ſeneſchal of any liberty, where ſuch offence may be committed, or upon the view of any ſuch juſtice or ſeneſchal, for every ſuch offence forfeit a ſum not exceeding ten ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace for ſaid county: and that if any perſon ſhall draw any millſtone on any road without ſupporting ſuch millſtone by a carriage on wheels, ſuch perſon ſhall upon conviction by the oath of one credible witneſs, before any one juſtice of the peace for ſaid county forfeit a ſum not exceeding forty ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace for the ſaid county having any eſtate of freehold in lands, tenements, or hereditaments of the clear yearly value of one hundred pounds at leaſt within ſaid county; and that if any perſon ſhall draw any ſlide car, or any timber, boards, or ſticks, without ſupporting the ends of ſuch timber, boards, or ſticks on a carriage or carriages on wheels of the breadth of three inches at the leaſt, on any road which was made or repaired with money granted by the

laying rubbiſh in 21 feet,

and other annoyances, penalty 10s.

drawing millſtone not on wheels, 40s.

ſlide car, timber, &c. not on 3 inch wheels, 5s. and ſeized.

the grand jury of ſaid county, ſuch perſon ſhall upon conviction by the oath of one credible witneſs before any one juſtice of the peace having an eſtate of freehold in lands, tenements, or hereditaments of the clear yearly value of one hundred pounds at leaſt within ſaid county within his juriſdiction, or upon the view of ſuch juſtice, forfeit a ſum not exceeding five ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of ſuch juſtice, and alſo ſuch ſlide car, timber, boards, or ſticks to the perſon, who ſhall ſeize the ſame; and that any two juſtices of the peace within their juriſdiction, having each an eſtate of freehold in lands, tenements, or hereditaments of the clear yearly value of one hundred pounds at leaſt within ſaid county, may by warrant under his hand and ſeal order any houſe, or part of a houſe, or lime kiln, hereafter built contrary to the intent of this act, to be pulled down, or any dog kept contrary to this act to be killed, or any pit or ditch to be filled up or levelled, or any wall to be thrown down that ſhall be hereafter made or built contrary to this act, as alſo the neceſſary expence attending thereon to be levied by diſtreſs and ſale of the offenders goods or chattles; and that any perſon may take and carry away all ſuch turf, dirt, dung, ſtraw, or rubbiſh, corn, filth, ſcouring of any ditches, or drains, or ſtones, as he ſhall find to be laid upon any part of any road, or within twenty one feet of the centre of any road, and apply the ſame to his own uſe, and may kill any dog, that ſhall be kept contrary to this act, without being ſued or proſecuted for ſo doing.

2 Juſtices of 100l. a year in the county may order houſe or kiln to be abated, dog killed, pit or wall levelled, & diſtreſs and ſale for the expence,

any one may take dung, &c. in 21 feet of centre, and kill any dog.

XLII. And be it enacted by the authority aforeſaid, that every landholder, or occupier of land, who ſhall lay, or cauſe, or ſuffer to be laid upon his land within three miles of the city of Dublin, or within one mile of the towns corporate of Swords and Newcaſtle for manure, or any other purpoſe, any filth, offals, or blood, or the ſcraping of ſlaughter houſes or of ſhambles, or of the emptying of privies, without immediately covering the ſame with ſuch quantities of lime or earth as ſhall be ſufficient to prevent any annoyance therefrom, ſhall upon the view of any juſtice of the peace having an eſtate of freehold in lands, tenements, or hereditaments of the clear yearly value of one hundred pounds at leaſt within ſaid county, within his juriſdiction, or upon the information of one credible witneſs upon oath, forfeit the ſum of forty ſhillings for every ſuch offence, to be levied by diſtreſs and ſale of the goods and chattles of the offender by the warrant of any ſuch juſtice of the peace within his juriſdiction under his hand and ſeal. And to prevent the many inconveniencies

Laying on land in 3 miles of *Dublin*, 1 of *Swords* or *Newcaſtle*, filth for manure or other purpoſe, without ſufficient lime or earth, 40s.

inconveniencies that have arisen to the inhabitants of the city of Dublin, and liberties thereof, and thereunto adjoining, by reason of the scavengers laying their dirt collected in several parts of the said city and liberties, any person or persons, who shall lay any filth or dirt, so collected from the streets of the said city or liberties, nearer than two hundred yards to any road within two miles of the castle of Dublin, or nearer than twenty one feet to the centre of any road at a greater distance than two miles from the same, shall upon the view of any justice of peace, or seneschal of said liberties, having an estate of freehold in lands, tenements, or hereditaments, of the clear yearly value of one hundred pounds at least within said county, within his or their respective jurisdictions, or upon the information of one credible witness upon oath, forfeit the sum of five shillings for every cart or other load so laid down, to be levied by distress and sale of the goods and chattles of the offender by the warrant of any such justice of the peace within his jurisdiction under his hand and seal. Provided, that where any fields or gardens are nearer than a mile of the publick lamps, that the owner or occupier of such fields or gardens shall be at liberty to lay down within the same so much of the scavenger's dirt, as shall be sufficient to manure the same for one year, without incurring the penalty aforesaid.

laying scavengers dirt within 200 yards of road in 2 miles of the Castle, or 21 feet of centre if above, 5s. per load, *repealed* 15 & 16 G. 3. c. 20, *s.* 14.

except a year's manure for fields or gardens within a mile of lamps.

Defendants may plead general issue, &c. and have treble costs,

XLIII. And be it further enacted by the authority aforesaid, that if any person shall be sued, molested, or troubled for putting in execution any of the powers contained in this act, or for doing any act, matter, or thing pursuant thereto, such person shall and may plead the general issue, and give the special matter in evidence; and if the plaintiff or plaintiffs shall be nonsuited, and judgment given against him, her, or them, upon demurrer or otherwise, or a verdict pass for the defendant or defendants, or a dismiss upon a civil bill, such defendant or defendants shall have his or their treble costs, to be recovered by such method and manner as where by law costs are given to defendants; and that the solemn affirmation or declaration of a quaker shall be adjudged and taken to be of the same force and effect to all intents and purposes in any case, where by this act an oath is required to be taken, as if such quaker had taken an oath in the form prescribed, or in the usual form.

quaker's affirmation valid as oath.

Justices in jurisdiction to act, & administer oaths,

XLIV. And be it further enacted by the authority aforesaid, that his Majesty's justices of the peace are hereby authorized to put this act into execution, and to administer the several oaths herein before directed to be taken within their several and respective jurisdictions; and that one moiety of all forfeitures and pecuniary penalties to be inflicted by this act, and not otherwise applied, shall be paid to the informer with full costs, and the other moiety to the treasurer of the county infirmary for the benefit of such infirmary; and that if any person, convicted of any offence by this act, shall not be able to pay the penalty, that she or he has incurred, it shall be lawful for the justice or justices of the peace, before whom such person was convicted, to send such person to the workhouse, or house of correction

penalties unapplied to informer with full costs, and the infirmary,

on non-payment, work house 3 months.

of

of ſaid county, there to remain at hard labour for ſuch time as the ſaid juſtice or juſtices ſhall think proper, not exceeding three months.

Saving liberties *St. Sepulchre's* & *Donore*.

XLV. Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, to break in upon, prejudice, or leſſen in any manner whatſoever the juriſdiction, powers, franchiſes, rights, or privileges, belonging to or heretofore exerciſed by the lord archbiſhop of Dublin in and throughout his liberty of Saint Sepulchre's, or by the earl of Meath in his liberty of Donore, and the ſeveral parts thereof which are in the ſaid county of Dublin, but that they ſhall be and remain as free and in as full force to all intents and purpoſes, as if this act had never been made, any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Perjury, falſe affirming, forging juſtice's name puniſhed as wilful perjury.

XLVI. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall be guilty of wilful and corrupt perjury, or of falſe affirming, or of forging or counterfeiting the name of any juſtice of the peace, and be thereof convicted by due courſe of law, ſhall incur the pains and penalties which by law are enacted againſt wilful and corrupt perjury.

Preſentments under the repealed act levied, &c. as thereby or this act.

XLVII. And be it further enacted by the authority aforeſaid, that all preſentments made, or money to be levied, accounted for, and paid in conſequence of thoſe parts of the act, that are hereby repealed, ſhall be levied, accounted for, and paid in manner preſcribed thereby, or by this act, ſubject to the rules, proviſoes, and regulations therein or herein contained.

City grand jury every 3d Michaelmas, or oftener if neceſſary, to take account of miniſter's money, and thence form & preſent a table for applotting publick money.

XLVIII. And whereas the laws heretofore made for aſſeſſing and collecting of publick money in the county of the city of Dublin have been found ineffectual and inſufficient: be it enacted by the authority aforeſaid, that from and after the firſt day of May next the grand jury of the court of king's bench, impannelled and ſworn for the county of the ſaid city of Dublin, ſhall, and they are hereby impowered and required, at Michaelmas term in every third year, or oftener if neceſſary, to take an exact account of the miniſters money chargeable upon the ſeveral inhabitants of this city in their ſeveral pariſhes, and from thence form a table of applotment of the proportion, every pariſh bears to each other, and, when ſo regulated, ſhall, if they think proper, preſent the ſame as a regular and fit table for applotting the publick money; which table, when ſo formed and preſented, ſhall * and is hereby appointed a table for applotting the publick money.

A. D. 1773-4. Chap. 34.

Treaſurer to aſſeſs thereby in March & Sept.

XLIX. And be it enacted by the authority aforeſaid, that the treaſurer of the publick money of the ſaid city ſhall in the months of March and September in every year by the ſaid table applot and aſſeſs on the inhabitants of the ſeveral pariſhes in ſaid city and county of ſaid city ſuch publick money, as ſhall from time to time be raiſed by the ſeveral grand juries of the court of king's bench, or of the quarter ſeſſions, to be held in and for the county of the ſaid city, and inſert in warrants the ſaid applotment and aſſeſſment, and the uſes for which they are reſpectively raiſed; which warrants the lord mayor of the ſaid city is hereby impowered and required to ſign, and direct and cauſe the ſame to be delivered to the church wardens of the ſeveral pariſhes of ſaid city, as hath been for time immemorial accuſtomed.

inſert it in warrants and the uſes,

ſigned by lord mayor,

delivered to church wardens.

Veſtry for applotting in 1 month after,

L. And be it enacted by the authority aforeſaid, that the miniſter, church warden and church wardens, of the ſeveral pariſhes of the ſaid city ſhall, and are hereby required, within one month after the receipt of ſuch warrants in the uſual manner to convene a veſtry of the inhabitants of their reſpective pariſhes for the purpoſe of applotting and aſſeſſing upon the ſeveral ſolvent inhabitants of their reſpective pariſhes their proportion of the ſaid publick money; and if the ſaid miniſter, church warden and church wardens, ſhall neglect or refuſe to convene ſuch veſtry, it ſhall and may be lawful for the judges of his Majeſty's court of king's bench to fine ſuch miniſter, church warden or church wardens, ſo neglecting or refuſing in any ſum not exceeding fifty pounds: and in caſe the miniſter, church wardens, or pariſhioners of ſuch pariſhes ſhall refuſe to aſſemble after due notice being given, or when aſſembled ſhall neglect or refuſe to applot the proportion, which ſuch pariſh is to bear of the publick money, it ſhall and may be lawful for the ſaid judges of his Majeſty's court of king's bench to fine ſuch pariſh in any ſum, not exceeding one hundred pounds.

or miniſter & church-wardens fined in B. R. 50l.

pariſh not aſſembling after notice, or not applotting the proportion, fined 100l.

Church wardens in 10 days after veſtry to appoint collectors,

LI. And be it enacted by the authority aforeſaid, that when and ſo often as the ſaid publick money is applotted and aſſeſſed by the ſaid veſtry or veſtries upon the ſeveral ſolvent inhabitants within their ſeveral diſtricts, every church warden and church wardens within ten days after ſuch veſtry ſhall direct and appoint one or more perſon or perſons of the ſaid pariſhes reſpectively to collect the ſame; and the ſaid pariſhes may allow ſuch perſon or perſons any ſum, not exceeding ſix pence in the pound for collecting the ſame, to be raiſed off the inhabitants of ſaid pariſhes in the ſame manner as pariſh taxes are now raiſed on the ſaid

at 6d. per l. as pariſh ceſſes

Collectors to produce applotment, &c.

ſaid pariſhes; and the ſeveral conſtables of the ſaid pariſhes reſpectively are hereby required to aid and aſſiſt ſuch perſon or perſons in collecting the money ſo preſented; which if any conſtable ſo required refuſe to do, every ſuch conſtable ſo refuſing ſhall upon conviction by the oath of two credible witneſſes before any two juſtices of the peace of the county of the city of Dublin forfeit for every ſuch offence a ſum not exceeding ten pounds, to be levied, together with the charges, by diſtreſs and ſale of the goods of the offender by the warrant of any two ſuch juſtices of the peace of the county of the city of Dublin aforeſaid; one moiety of which penalty ſhall be paid to the informer or informers, and the other moiety to the miniſter and church wardens for the uſe of the poor of the pariſh, in which ſuch offence ſhall have been committed.

conſtables to aſſiſt in collecting, or on 2 witneſſes before 2 juſtices forfeit 10l.

to informer and the poor.

LII. And be it enacted by the authority aforeſaid, that all perſons, impowered hereby to levy or collect publick money in the county of the ſaid city, ſhall and may, and are hereby impowered, by diſtreſs and ſale of the goods and chattles of all ſuch perſons, who ſhall refuſe to pay their proportion thereof, to levy the ſame, and after the ſale of ſuch diſtreſs to retain the money, which the ſaid perſons ought to pay, rendering the overplus (if any) to the owner, after deducting twelve pence in the pound for the trouble in levying the ſame; and the ſaid ſeveral perſons ſo appointed collectors, and the conſtables of the ſaid ſeveral pariſhes, ſhall within their reſpective limits collect by warrant under the hand and ſeal of the lord mayor of the ſaid city (which warrant the lord mayor of the ſaid city for the time being is hereby impowered to grant) the ſeveral ſums ſo preſented and applotted as aforeſaid, and ſhall pay in the ſaid ſeveral ſums to the ſaid church warden or church wardens, to be by him or them paid over to the ſaid treaſurer before the term next enſuing the times the publick money ſhall be ſo applotted; and the ſaid treaſurer ſhall at every term make up his accounts upon oath of all the receipts and payments of the ſaid publick money ſo received and paid by him, and ſhall return and lay the ſaid accounts, fairly written, with the affidavit of the ſaid treaſurer at the foot thereof, taken before one of the judges of the ſaid court of king's bench, without fee, verifying the truth of ſuch accounts, on the firſt day of every term, before the grand jury of the ſaid city, to be viewed, allowed, or diſapproved of by the ſaid grand jury; and the ſaid grand jury ſhall cauſe the ſame to be entered in the book of the county of the ſaid city with ſuch obſervations as they ſhall think fit; and for wilful default of ſuch return it

On refuſing to pay, diſtreſs & ſale,

fee 12d. per l.

collected by lord mayor's warrant,

paid to church-wardens,

by them to treaſurer before next term,

treaſurer every term to account on oath,

laid before grand jury 1ſt of every term,

entered in county book,

penalty 100l.

A. D. 1773-4. Chap. 34.

it ſhall and may be lawful for the judges of the ſaid court of king's bench to fine ſuch treaſurer in any ſum not exceeding the ſum of one hundred pounds.

Conſtables & church-wardens not collecting or paying, fined in B. R. not exceeding the ſum in lord mayor's warrant, & committed.

LIII. And be it enacted by the authority aforeſaid, that if any conſtable ſhall neglect, omit, or refuſe to collect the ſums ſo preſented or applotted, or to pay in the ſame to the ſaid church warden or church wardens, or if ſuch church warden or church wardens ſhall neglect, omit, or refuſe to pay in the ſums paid unto them by ſuch conſtable or conſtables to the treaſurer of the ſaid city, it ſhall and may be lawful for the judges of the ſaid court of King's Bench to fine ſuch conſtables or church wardens ſo neglecting, omitting, or refuſing to collect the ſums ſo preſented and applotted, or to pay in the ſame to the ſaid treaſurer, in ſuch ſum or ſums of money as to the ſaid judges ſhall ſeem proper, not exceeding the ſums that ſuch conſtable or church warden ſhall by the ſaid warrants of the ſaid lord mayor of the ſaid city for the time being be appointed reſpectively to collect and receive, and to commit the ſaid ſeveral offenders in execution for the ſame.

A publick act.

LIV. And be it enacted by the authority aforeſaid, that this preſent act ſhall be deemed, adjudged, and taken to be a publick act, and ſhall be judicially taken notice of as ſuch by all the judges, juſtices, and all other perſons whatſoever, without ſpecially pleading the ſame.

CHAP.

A. D. 1773-4.

CHAP. XXXV.

An act to enable his Majeſty's ſubjects of whatever perſuaſion to teſtify their allegiance to him.

WHEREAS many of his Majeſty's ſubjects in this kingdom are deſirous to teſtify their loyalty and allegiance to his Majeſty, and their abhorrence of certain doctrines imputed to them, and to remove jealouſies which thereby have for a length of time ſubſiſted between them and others his Majeſty's loyal ſubjects, but upon account of their religious tenets are by the laws now in being prevented from giving publick aſſurances of ſuch allegiance, and of their real principles and good will and affection towards their fellow ſubjects: in order therefore to give ſuch perſons an opportunity of teſtifying their allegiance to his Majeſty, and good will towards the preſent conſtitution of this kingdom, and to promote peace and induſtry amongſt the inhabitants thereof, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of June one thouſand ſeven hundred and ſeventy four it ſhall and may be lawful for any perſon, profeſſing the popiſh religion, to go before the judges of his Majeſty's court of king's bench, any juſtice of the peace for the county in which he does or ſhall reſide, or before any magiſtrate of any city or town corporate wherein he does or ſhall reſide, and there take and ſubſcribe the oath of allegiance and declaration herein after mentioned; which oath and declaration ſuch judges of the king's bench, juſtices of the peace, and magiſtrates are hereby enabled and required to adminiſter:

Papiſts may before B. R. a juſtice or magiſtrate where reſident take and ſubſcribe oath of allegiance and declaration herein.

I A. B. *do take Almighty God and his only Son Jeſus Chriſt my Redeemer to witneſs, that I will be faithful and bear true allegiance to our moſt gracious ſovereign lord King George the third, and him will defend to the utmoſt of my power againſt all conſpiracies and attempts whatever, that ſhall be made againſt his perſon, crown, and dignity; and I will do my utmoſt endeavour to diſcloſe and make known to his Majeſty, and his heirs, all treaſons and traiterous conſpiracies, which may be formed againſt him or them; and I do faithfully promiſe to maintain, ſupport and defend, to the utmoſt of my power the ſucceſſion of the crown in his Majeſty's family againſt*

17 & 18 G. 3. c. 49. ſ. 3.

A. D. 1773-4. Chap. 35.

any perſon or perſons whatſoever; hereby utterly renouncing and abjuring any obedience or allegiance unto the perſon taking upon himſelf the ſtile and title of prince of Wales in the lifetime of his father, and who ſince his death is ſaid to have aſſumed the ſtile and title of king of Great Britain and Ireland by the name of Charles the third, and to any other perſon claiming or pretending a right to the crown of theſe realms; and I do ſwear, that I do reject and deteſt as unchriſtian and impious to believe, that it is lawful to murder or deſtroy any perſon or perſons whatſoever for or under pretence of their being hereticks; and alſo that unchriſtian and impious principle, that no faith is to be kept with hereticks; I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the pope and council, or by any authority of the ſee of Rome, or by any authority whatſoever, may be depoſed or murdered by their ſubjects, or by any perſon whatſoever; and I do promiſe, that I will not hold, maintain, or abet, any ſuch opinion, or any other opinion, contrary to what is expreſſed in this declaration; and I do declare, that I do not believe, that the pope of Rome, or any other foreign prince, prelate, ſtate, or potentate hath or ought to have any temporal or civil juriſdiction, power, ſuperiority, or pre-eminence, directly or indirectly, within this realm; and I do ſolemnly in the preſence of God, and of his only Son Jeſus Chriſt, my Redeemer, profeſs, teſtify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary ſenſe of the words of this oath, without any evaſion, equivocation, or mental reſervation whatever, and without any diſpenſation already granted by the pope, or any authority of the ſee of Rome, or any perſon whatever; and without thinking that I am or can be acquitted before God or man, or abſolved of this declaration, or any part thereof, although the pope, or any other perſon or perſons, or authority whatſoever ſhall diſpenſe with or annul the ſame, or declare that it was null and void from the beginning.

So help me God.

Yearly liſts of ſuch papiſts returned to clerk of council in 21 days after 1ſt December, ſpecifying their quality, condition, title, and abode.

II. And be it enacted by the authority aforeſaid, that the officer of the court of king's bench, juſtices of the peace, and magiſtrates of the city and towns corporate ſhall yearly within twenty one days after the firſt day of December return to the clerk of the privy council of this kingdom, or his deputy, a true and perfect liſt under his or their hand of every ſuch papiſt, as ſhall in the courſe of the preceding year have taken and ſubſcribed ſuch oath; in which liſt the quality, condition, title, and place of abode of ſuch papiſt ſhall be ſpecified.

A. D. 1773-4.

CHAP. XXXVI.

An act for amending and continuing an act passed in the ninth year of his late Majesty King George the second, entitled, *An act for repairing the road leading from the town of Armagh in the county of Armagh to the town of Newry in the county of Down.*

WHEREAS an act was passed in the ninth year of the reign of his late Majesty King George the second, entitled, *An act for repairing the road leading from the town of Armagh in the county of Armagh to the town of Newry in the county of Down*; and whereas, the term of forty one years, for which the said act was to continue, is near expiring, and it is reasonable, that the said term should be renewed, for the better securing the debts which are owing to the creditors of the said road; and whereas part of the said road, lying between the town of Market-hill and the town of Newry, runs over steep hills, which are very inconvenient to and dangerous for travellers and carriages, and a more level and safer line of road may be made on the north east side of the old road from the town of Market-hill, so as to fall in with the old turnpike road near the church of Mulliglass on the north west thereof; and whereas the tolls, reserved by the said recited act, are insufficient for the payment and the interest of the debts contracted for making of the said old turnpike road, and for keeping of the same in proper repair: therefore be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the persons hereafter named shall be and are hereby nominated and appointed trustees from time to time, together with the trustees named in or by virtue of the said former act, to carry this act into execution, that is to say, Richard lord primate of all Ireland, the reverend Hugh Hamilton dean of Armagh, the reverend Richard Marlay rector of Logilly, the reverend Arthur Jacob prebendary of Killeby, and their successors respectively, Thomas Mc.Can of Armagh, Maxwell Close of and Richard Olpherd of Armagh, all of the county of Armagh esquires, and that it shall and may be lawful to and for the said trustees of the said turnpike road, or any nine or more of them, in case they shall be enabled thereto by the tolls of the said road, and that the same shall appear to them to be an improvement to the said road, and an advantage to the publick and to

9 G. 2. c. 19.

trustees named with those in said act;

9 may, if enabled by tolls, and an improvement and publick advantage, lay out a new line,

A. D. 1773-4. Chap. 36.

to travellers, to lay out a new line of road from the town of Market-hill north eaſt of the old turnpike road, and to carry on the ſame, ſo as it may fall into the old turnpike road near the church of Mulliglaſs on the north weſt thereof, in ſuch manner as they may judge will beſt anſwer the ſafety of carriages and travellers, and to lay out the ſame thirty feet wide in the clear, and to aſcertain the grounds through which the ſame ſhall paſs, with ſuch reſtrictions and exceptions as ſhall prevent ſuch new road from doing a real injury to any perſon, and with ſuch proviſoes and clauſes for ſecuring to the owners of any grounds, through which ſuch new road ſhall be carried, a ſatisfaction and recompence proportioned to any loſs they may ſuſtain thereby.

30 feet wide,

preventing any injury,

recompence to owners of grounds.

II. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any nine or more of them, where they ſhall find any part of the ſaid old turnpike road by means of ſaid intended new road become uſeleſs and * neceſſary, may order ſuch part of ſaid old road to be ſtoped up, as ſoon as ſuch new road ſhall be finiſhed, and opened for the uſe of the publick; and where the inheritance of the ground of ſuch part of ſaid old road to be ſtoped up, and of the new road to be opened, belong to the ſame perſon, to give up ſuch part of ſaid old road in lieu and exchange of the new part, with ſuch other ſatisfaction as may be thought reaſonable by the ſaid truſtees, or by any nine or more of them.

Stop old road when the new finiſhed,

exchange where inheritanee in ſame perſon,

with other reaſonable ſatisfaction.

III. And whereas the tolls appointed by the ſaid act of the ninth of his late Majeſty King George the ſecond are inſufficient for keeping the ſaid road in proper repair, and to diſcharge the ſums of money raiſed for the making the ſaid road, and to pay the intereſt of the ſame: be it enacted by the authority aforeſaid, that the ſaid truſtees ſhall receive and take for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by ſix horſes, geldings, or mares, the ſum of one ſhilling, over and above the ſum of one ſhilling and ſix pence appointed by the ſaid act to be received and taken; for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by any leſſer number of horſes, geldings, or mares than ſix, or more than two, ſix pence over and above one ſhilling to be paid by the ſaid act; and for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by two horſes, geldings, or mares, ſix pence over and above ſix pence to be paid by the ſaid act; for every cart or other carriage drawn with two horſes, geldings or mares, the ſum of four pence over and above four pence to be paid by the ſaid act; for every carriage commonly called a chair, or chair with one horſe, mare, or gelding, the ſum of three pence over and above three pence to be paid by the ſaid

Toll to be taken.

ſaid act; for every car or other carriage drawn but by one horſe, mare, or gelding, the ſum of one halfpenny over and above one penny halfpenny to be paid by the ſaid act; provided that every waggon, wain, cart, or carriage with four wheels, the fellows of which ſhod with iron and flat headed nails ſhall be nine inches broad, inſtead of paying ten ſhillings directed by the ſaid act to be paid, ſhall pay only the ſum of ſix pence for the ſame; and every wain, cart, or carriage with two wheels, the fellows of which, ſhod with iron and flat headed nails, ſhall be nine inches broad, drawn by more than two horſes, mares, geldings, or oxen, inſtead of paying two ſhillings and ſix pence, directed by the ſaid act to be paid, ſhall pay only three pence.

IV. And whereas it is enacted by the ſaid in part recited act, that all coaches and paſſengers on horſe back, ſhall paſs and repaſs toll free on the day or days on which there ſhall be an election for knight or knights of the ſhire to ſerve in parliament for the ſaid county of Armagh, or for any burgeſs to ſerve in parliament for any borough in the ſaid county: be it enacted by the authority aforeſaid, that the ſaid recited clauſe may be, and the ſame is hereby repealed and made void.

9 *G.* 2, *c.* 19, *ſ.* 19, repealed.

V. And be it enacted by the authority aforeſaid, that the ſaid act of the ninth of his late Majeſty King George the ſecond, with ſuch variations as are or may be made therein by this preſent act, and alſo this preſent act, ſhall be and continue in force for the term of forty one years from the expiration of the ſaid act.

9 *G.* 2, *c.* 19, as altered, and this act, continued 41 years from expiration thereof.

CHAP. XXXVII.

An act for preventing frauds in the meaſurement of lime.

WHEREAS lime is now become of general uſe throughout this kingdom in the manuring and improvement of lands, and it will be highly advantageous to agriculture to prevent frauds in the ſale thereof: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of May one thouſand ſeven hundred and ſeventy four no lime whatſoever ſhall be ſold otherwiſe than by meaſure; and that every veſſel, wherein it ſhall be meaſured, ſhall be ſtamped or ſealed by ſome magiſtrate or other publick officer of ſome corporate or market town in the county, where the ſaid lime ſhall be meaſured, or the next adjoining county thereto,

Lime ſold only by meaſure,

ſtamped by magiſtrate or publick officer,

A. D. 1773-4.

thereto, with the ſtamp or ſeal which has uſually been uſed for the ſtamping or ſealing of meaſures, and ſhall be of the ſize and dimenſions and contain the quantities following, that is to ſay, every buſhel ſhall be twenty inches diameter in the bottom, and twenty one inches in the top at leaſt, and contain eight gallons, each gallon containing two hundred and ſeventy two cubical inches, and the fourth part of an inch; and that every perſon, who ſhall ſell lime otherwiſe than by meaſure, or in any veſſel which ſhall not be ſtamped, and which ſhall not contain the quantity and be of the ſize and dimenſions aforeſaid, ſhall forfeit for every offence the ſum of five pounds; to be recovered by any perſon who ſhall ſue for the ſame by civil bill, in the manner in which civil bills are allowed to be brought in this kingdom; and that in every ſuch ſuit, upon proof being made by the perſon ſuing of the ſale of the lime, it ſhall lie upon the perſon ſued to prove, that the ſaid lime, ſo ſold, was meaſured in a veſſel ſtamped, of the contents, ſize, and dimenſions by this act required, fairly and honeſtly filled; and upon failure of his or her proving the ſame that the plaintiff ſhall be decreed to the penalty ſued for.

ſize and dimenſions, a buſhel 20 inches in bottom, 21 in top, 8 gallons, each 272 inches and 1-4th,

penalty 5l. by civil bill,

proof on defendant.

II. Provided that no ſuit ſhall be commenced for or by reaſon of any penalty or forfeiture incurred by any offence contrary to this act, unleſs the ſame be commenced within the ſpace of ſix months, next after ſuch offence ſhall be committed; and that if a decree ſhall be given againſt the plaintiff, the defendant ſhall have double coſts, to be recovered by civil bill.

Suit in 6 months,

double coſts to defendant on decree.

CHAP. XXXVIII.

An act to prevent the importation of wines in caſks under the ſize of thirty one gallons, except as herein excepted.

17 & 18 *G.* 3. c. 8.

WHEREAS great quantities of different kinds of wines have been lately imported into this kingdom in ſmall caſks or veſſels, with an intent that the ſame might be more eaſily and privately carried off and conveyed away without paying the duties payable thereon: for prevention whereof be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four no wines ſhall be imported or brought into this kingdom, or into any port, harbour, haven, or creek thereof, in any caſk or veſſel, which ſhall not contain thirty one gallons at leaſt, from any place whatſoever, upon pain of forfeiting the ſaid wines and the value thereof, together with the caſk or veſſel in which ſuch wines ſhall be contained.

to prevent import in ſmall caſks to evade duty,

no wine imported in caſks under 31 gallons,

or forfeited and the value,

II. And be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four all wines

Seized if in port or in 3 leagues of ſhore,

in

in caſks or veſſels under the ſize of thirty one gallons ſhall be ſeized and forfeited, if found on board any ſhip, veſſel, or boat in any port or harbour of this kingdom, or hovering within three leagues of the ſhores of this kingdom, or ſhall be diſcovered ſo to have been, although bulk ſhall not appear to have been broke, or any of the ſaid wines in caſks under the ſize of thirty one gallons run, or attempted to have been run, out of ſuch ſhip, veſſel, or boat, ſave only and except in caſe of unavoidable neceſſity and diſtreſs; which neceſſity and diſtreſs the maſter, purſer, or perſon having or taking the charge or command of ſuch ſhip or veſſel, ſhall immediately after the arrival of ſuch ſhip or veſſel into any bay, harbour, river, or creek of or belonging to this kingdom, give notice, and make proof of, before the collector or other chief officer reſident at the neareſt port where ſuch ſhip or veſſel ſhall arrive; and that ſuch forfeiture or forfeitures ſhall and may be ſued for, recovered, levied, and applied, in ſuch manner and form, and by ſuch ways and methods, as are preſcribed and appointed in and by an act of parliament made in the fourteenth and fifteenth years of the reign of Charles the ſecond, intitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money, unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed.*

or diſcovered to have been, tho' bulk not broke or attempted to run, except neceſſity,

of which immediate notice and proof before the chief officer neareſt,

levied and applied as by 14 and 15 C. 2. c. 9.

III. Provided that this act, or any thing therein contained, ſhall not be conſtrued to extend to wines of Champaigne or Burgundy, or to Florence, or other Italian wines, or to ſweet wines, commonly called Muſcat, imported as uſual in ſmaller veſſels, or to Madeira wine, provided the ſame ſhall be imported in veſſels not under the ſize of twenty eight gallons.

Wines excepted in ſmaller veſſels as uſual,

Madeira in 28 gallon veſſels.

IV. Provided always, and be it enacted by the authority aforeſaid, that this act ſhall continue and be in force for two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy four.

Continued 2 years from 24 June 1774.

CHAP.

CHAP. XXXIX.

An act for altering, amending, and making more effectual, the laws for repairing the road leading from the city of Dublin to the town of Kinnegad in the county of Weſtmeath, and from thence to the town of Mullingar in the ſaid county, and for other purpoſes therein montioned.

5 G. 2. c. 16. WHEREAS by an act paſſed in the fifth year of the reign of his late Majeſty King George the ſecond, intitled, *An act for repairing the road leading from the city of Dublin to the town of Kinnegad in the county of Weſtmeath*, ſeveral tolls and duties were granted and made payable for repairing the ſaid road, which ſaid act was to commence from the twenty fifth day of March in the year of our Lord one thouſand ſeven hundred and thirty one, and from thence to continue in force during the term of twenty one years: and whereas by another act paſſed in the ſeventh year of his ſaid Majeſty's reign, intitled, *An act for making more effectual the ſaid act paſſed in the fifth year of his ſaid Majeſty, and for the other purpoſes therein mentioned*, certain tolls and duties, in lieu of the tolls and duties made payable by the ſaid former act, were granted and made payable for repairing the ſaid road, and by which ſaid act of the fifth year of his ſaid late Majeſty, and all and every the powers, authorities, articles, rules, penalties, and clauſes therein contained, except what were altered by the ſaid act of the ſeventh year of his late Majeſty, were continued from and after the expiration of the ſaid term of twenty one years for and during the further term of twenty one years, and from thence to the end of the then next ſeſſion of parliament: and whereas the truſtees, appointed to put the ſaid act into execution, have borrowed and contracted for the ſum of fifteen thouſand pounds ſterling, which they alledge to be due on the credit thereof, which is ſtill unpaid, and have applied the ſame, together with the tolls collected by virtue of the ſaid act, in amending the ſaid road, and for the other purpoſes by the ſaid act required; which ſaid ſum, ſo alledged to be borrowed, is all due and unpaid to the creditors of the ſaid road, and the ſaid acts are now near expiring, and it is neceſſary for the ſecuring of the ſaid creditors, and alſo for the more effectual keeping the ſaid road in repair, that the ſaid act, with the ſeveral alterations herein contained, ſhall be further continued from the expiration of the ſaid further term of twenty one years: wherefore be it enacted by the King's moſt excellent Majeſty by and with the

7 G. 2. c. 21.

£. 15000 alledged to be borrowed on credit thereof and applied,

advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid acts, made in the fifth and ſeventh years of the reign of his ſaid late Majeſty King George the ſecond, and all and every the powers, authorities, articles, rules, penalties, and clauſes therein contained, except what are hereby repealed, altered, or explained, ſhall be of full force, commence, and take effect, and ſhall continue and be executed from and after the laſt day of this preſent ſeſſion of parliament, for and during the further term of twenty one years, and from thence to the end of the then next ſeſſion of parliament, for the intents and purpoſes in the ſaid acts and herein after mentioned, as fully as if the ſame powers and authorities, granted and given by the ſaid acts, were herein again repeated and reenacted in the body of this preſent act; any thing in the ſaid former acts to the contrary thereof notwithſtanding.

ſaid acts, ſave as repealed, altered, or explained, continued from the laſt day of this ſeſſion further 21 years, and to end of then next ſeſſion.

II. Provided always, and be it enacted by the authority aforeſaid, that the tolls and duties made payable by the ſaid act of the ſeventh year of the reign of his ſaid late Majeſty, in lieu of the tolls and duties made payable by the ſaid act of the fifth year of the reign of his ſaid late Majeſty, ſhall be the only tolls and duties, which in virtue of the ſaid former acts, or either of them, ſhall be taken or received during the continuance of the ſaid former acts, and of this act.

Tolls received only as by 7 *G.* 2. c. 21.

III. And be it further enacted by the authority aforeſaid, that the knights of the ſhire for the counties of Dublin, Kildare, Meath, and Weſtmeath, and the repreſentatives in parliament for the city of Dublin, as alſo his grace the moſt reverend the lord primate of all Ireland, his grace the moſt reverend the lord archbiſhop of Dublin, the right reverend the lord biſhop of Meath, and the right reverend the lord biſhop of Kildare, all for the time being, his grace the moſt noble William duke of Leinſter, the right honourable Thomas earl of Weſtmeath, the right honourable George earl of Granard, Brinſley earl of Laneſborough, Robert earl of Belvedere, Garret earl of Mornington, Edward earl of Kingſton, the right honourable George lord viſcount Bellfield, the right honourable Edward Michael lord baron Longford, John lord baron Annaly, Simon lord baron Irnham, the honourable lord Charles Fitz Gerald, the right honourable Edmond Sexton Perry, the right honourable Thomas Conolly, the right honourable Anthony Malone, the right honourable John Hely Hutchinſon, the right honourable Nathaniel Clements, ſir Fitz-Gerald Aylmer, ſir Mathew Aylmer, ſir George Tuite, ſir Kildare Dixon Burrows, ſir Samuel Broadſtreet, ſir Pigot William Piers,

Truſtees appointed,

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ſir Duke Gifford, ſir Lucius O'Brien, ſir Richard Levinge, ſir Marcus Lowther Crofton, ſir Richard St. George, and ſir James Nugent, baronets, ſir Thomas Blackhall, and ſir Michael Cromie, knights, the honourable Mr. juſtice Malone, the honourable Barry Barry, the honourable Richard Rochford Mervin, the honourable Robert Moore, the honourable Edward Nugent, the honourable Robert Packenham, and the honourable Robert Rochfort, the reverend St. George Aſhe, the reverend Richard Cane, the reverend dean William Digby, the reverend dean Richard Handcock, the reverend dean Cutts Harman, the reverend dean Daniel Letablere, the reverend doctor Shem Thompſon, Ulick Wall Allen, Richard Allen, Michael Aylmer, Joſeph Aſh, Michael Aylmer junior, and Thomas Atkinſon, eſquires, Lieutenant Colonel William Burton, Mathew Bathurſt, Robert Barry, Peter Bere, Robert Byrne, Thomas Burgh, William Burgh, John Bourke junior, and Walter Bermingham, eſquires, colonel Hugh Cane, Thomas Croker, Robert Clements, Theophilus Clements, Maurice Copinger, John Carroll, Thomas Coghlan, John Cramer, Benjamin Chapman junior, William Chapman, Edward Crofton, James Cane, and Lyons Cane, eſquires, colonel Daniel Chenevix, George Clibborn, Michael Clarke, William Coane, Thomas Copperthwaite, James Copperthwaite, and Charles Croker, eſquires, Francis D'Arcy, Simon Digby, Nehemiah Nixon Donnellan, Thomas Dillon, Peter Delamer, Walter Dowdal, Dennis Daly of Caſtle Daly, Dennis Bowes Daly, Miles Dowdal, John Dalton, Chriſtopher Dee, and Walter Evans, eſquires, Alderman Francis Fetherſton, alderman Richard French, Richard Frend, James Fraſer, Samuel Foſter, Richard Fitz-Gerald, Gerald Fitz-Gerald, Oliver Fitz-Gerald, William Fitz-Gerald, Pierce Fitz-Gerald, Cuthbert Fetherſton of Moſſtown, Thomas Fetherſton of Bracklin, Robert Forde, John Fuller, Abraham Fuller, and Joſeph Fuller, eſquires, Henry Gore, James Glaſcock, Arthur Grueber, Nicholas Gay, David Geoghegan, Hector Graham, and John Godley, eſquires, George Hart, Joſiah Hort, Joſeph Henry, Guſtavus Hume, Robert Hudſon, John Hartford, Charles Hampſon eſquires, William Handcock, Guſtavus Handcock, John Hill, Francis Hopkins, John Handcock, Walter Huſſey, William Judge, Richard Jones, Michael Keating, Nicholas Kempſton, William Knox junior, and Samuel Kathrens, eſquires, Gorges Lowther, Edward Leſlie, William Lyſter, Francis Lounds, Charles Levinge, and George Lowther, eſquires, Alderman Willoughby Lightburne, Guſtavus Lambert, and Charles Lambert, eſquires, Richard Malone, Edmond Malone junior, Henry Malone, Hugh Henry Mitchel, and Richard Malone, eſquires, Colonel Thomas Marley,

Marley, William Moore, Arthur Magan, George Paul Monk, Arthur M'Guire, Richard Mercer, George Meares, James Moore, Dalton M'Carthy, Thomas Mullock, Alexander Murray, and James Gill M'Donnel, eſquires, Ulyſſes North, Levallin Nugent, Peter Nugent, Walter Nugent, Charles North, Rowland Owen, John Nugent of Kiltomb, James O'Reily, Hugh O'Reily, Allen O'Reily, and Thomas O'Reily, eſquires, major general John Pomeroy, Henry Pomeroy, and Arthur Pomeroy, eſquires, lieutenant colonel William Piers, Chriſtopher Pallas, Abraham Pilkinton, William Brabazon Ponſonby, William Pollard, Hercules Langford Rowley, Stephen Radcliff, John Reynell, John Rochfort, George Rochfort, Richard Robinſon, and Robert Reynell, eſquires, colonel Robert Sandford, Samuel Spencer, Ralph Smyth of Ralphſdale, Sydenham Singleton, Neal Segrave, John Segrave, James Shiel, Edward Symes, and John Smyth of Violetſtown, eſquires, William Sherlock eſquire, lieutenant colonel Richard Sherlock, Robert Sibthorp, and Charles Sterne, eſquires, Robert Tighe, Daniel Tighe, Wentworth Thewles, Garrett Tyrrell, John Tyrrell of Clonard, George Tyrrell, and Duke Tyrrell, eſquires, captain Garret Tyrrell, John Tyrrell of Clermont, George Tyrrell of Grange, Agmondiſham Veſey, Joſeph Verſchoyle, and Richard Underwood, Hans Wood, Samuel Winter, Adam Williams, Hugh Wilſon, Richard Wilſon, John Warren, John Warburton, and Stephen Wybrants, eſquires, and major Robert Waller, be truſtees for putting the ſaid former acts and this preſent act in execution, and all the powers and authorities therein and herein given and enacted to all intents and purpoſes; and all other perſons heretofore named, oppointed, or elected truſtees in or by virtue of or under the ſaid former acts or either of them, ſhall henceforth ceaſe to be truſtees for putting the ſaid former acts or either of them in execution, of all or any of the powers or authorities therein or herein enacted; and on the deaths of any of the ſaid truſtees hereby appointed, or on any of their refuſal to act, that then it ſhall and may be lawful to and for the reſt of the ſaid truſtees hereby appointed, or any ſeven or more of them, during the continuance of the ſaid former acts and of this act, to elect or appoint in the room of ſuch perſon or perſons ſo deceaſed or refuſing to act ſo many more fit and able perſons, living in the county of Dublin, county of the city of Dublin, and counties of Kildare, Meath, and Weſtmeath, to be joined with them in the execution of the ſaid former acts and of this act; and all and every perſon and perſons, ſo elected and appointed, ſhall and may and are hereby impowered to act to all intents and purpoſes, as the ſaid truſtees or any ſeven or more

on death or refuſal may elect others.

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more of them are by the ſaid former acts or by this preſent act impowered to do, and ſo from time time as often as there ſhall be occaſion.

Surveyors to raiſe materials.

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſurveyor or ſurveyors of the ſaid road, or ſuch perſon or perſons as he or they ſhall appoint, by order of the ſaid truſtees or any five or more of them, where there is not ſufficient gravel, furze, ſand, ſtones, or other materials, neceſſary for the repairing ſaid road, to be had in any common or waſte ground adjoining thereto, to dig, raiſe, and gather the ſame in the ſeveral grounds of any perſon or perſons, not being the deer park of any perſon, or a field encloſed with a wall five feet high or more, built with lime and ſtone or bricks, or a garden planted with trees, or orchard of ſix years growth, of any perſon who inhabits an houſe built with lime and ſtones or bricks, or the planted walk or walks or yard to any houſe built with lime and ſtone or bricks, where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof, as the ſaid ſurveyor or ſurveyors in their reſpective places ſhall adjudge neceſſary for the repairing and amending the ſaid highways or roads, paying ſuch rate for ſuch materials and for the damages to the owner or occupier of the ground, whence the ſame ſhall be digged, raiſed, gathered, and carried away, as the ſaid truſtees, appointed or to be appointed to put the ſaid former acts and this act in execution, or any ſeven or more of them ſhall at a general board adjudge reaſonable: and in caſe of any difference between ſuch owner or occupiers and the ſaid truſtees touching the value of the materials and damage aforeſaid, the judges of aſſizes, or the juſtices of the peace, at the next general aſſizes or quarter ſeſſions, to be holden in the county where ſuch materials ſhall be digged, raiſed, or gathered, and where the ſame ſhall be carried away, may and ſhall adjudge, aſſeſs, and finally determine the ſame, upon a petition by any of the ſaid parties to be by them preferred; any law to the contrary thereof in any wiſe notwithſtanding: and in all caſes where damages have heretofore been or ſhall hereafter be ſo agreed upon or aſſeſſed, and have been or ſhall be ſo paid by the ſaid truſtees, it ſhall and may be lawful for the ſurveyor or ſurveyors of the ſaid road, or ſuch perſon or perſons as he or they ſhall appoint, by order of the ſaid truſtees or any five or more of them, to dig, raiſe, gather, and carry away gravel, and other neceſſary materials for the repairs of ſaid road in ſuch grounds, where gravel and other materials were

were before ſo taken and paid for, at all times hereafter during the continuance of the eſtate therein of ſuch owner or owners, occupier or occupiers, ſo paid or hereafter to be paid as aforeſaid, or of any perſon or perſons claiming or deriving by, from, or under them, or any of them; and that notwithſtanding any manner of incloſures of or buildings hereafter to be erected in or upon ſuch grounds, paying damages for the ſame in manner aforeſaid.

7 at board may lay out footpath from *Dublin* to *Leixlip*.

V. And whereas from the vaſt concourſe of cattle, cars, and carriages, that daily paſs and repaſs the ſaid turnpike road, particularly that part thereof between the city of Dublin and the town of Leixlip (the ſame being a particular avenue leading to the ſaid city,) a foot-path is extremely neceſſary for the convenience of paſſengers on the ſaid part of the ſaid road: therefore be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, at a general board, at any time or times hereafter when to them it ſhall ſeem fit and expedient, to make, lay out, and conſtruct, or cauſe, or procure to be made, laid out, and conſtructed, a foot-path for the ſaid purpoſes from the city of Dublin to the town of Leixlip, or any part or parts thereof: provided that the ſum to be expended in making and forming the ſaid foot-path, ſhall not in the whole exceed the ſum of one hundred and twenty pounds ſterling, being as computed at the rate of one ſhilling by the perch and no more; the ſame to be paid and payable out of the money ariſing by and from the ſeveral tolls and duties herein before mentioned.

120l. thereon.

Intereſt to creditors firſt paid, and ſufficient for repair.

VI. And provided nevertheleſs, that intereſt due to the ſeveral and reſpective creditors of the ſaid road ſhall be firſt paid and diſcharged; and that there ſhall alſo remain a ſufficient ſum, being part of the ſaid tolls and duties, in the hands of the ſaid truſtees, to amend and keep in intire and thorough repair the ſaid high road and every part thereof; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

ſ. 12. of 5 *G.* 2. c. 16. repealed.

VII. And whereas by the ſaid act of the fifth year of his late Majeſty it is provided and declared, That during the continuance of the ſaid act all coaches, and paſſengers on horſeback, ſhall paſs and repaſs toll free on the day or days, on which there ſhall be an election for knight or knights of the ſhire to ſerve in parliament for the ſaid counies of Dublin, Kildare, or Weſtmeath, or for any burgeſs to ſerve in parliament for any borough in the ſaid counties reſpectively, any thing in the ſaid act to the contrary notwithſtanding; by means of which ſaid proviſoe or clauſe great frauds have been committed in reſpect to the tolls or duties by the ſaid former acts granted or made payable; for remedy whereof be it further

enacted by the authority aforeſaid, that the ſaid proviſoe or clauſe in the ſaid act of the fifth year of the reign of his ſaid late Majeſty be and hereby is henceforth repealed and made void to all inents and purpoſes whatſoever.

23 *G.* 2. c. 16.

VIII. And whereas by ſaid acts of parliament, as alſo by one other act paſſed in the twenty third year of the reign of his ſaid late Majeſty King George the ſecond, intitled, *An act for the more effectual amending and keeping in repair the ſeveral turnpike roads in this kingdom, and for the better ſecuring the creditors of the ſaid roads*, or by ſome or one of them, the truſtees of turnpike roads are directed and enabled from time to time to nominate a clerk or regiſter, as alſo a treaſurer, and ſurveyor or ſurveyors, of ſaid road: be it enacted by the authority aforeſaid, that the ſaid truſtees of the ſaid Kinnegad turnpike road, or any ſeven or more of them, at a general board ſhall and may, out of the money ariſing from ſuch tolls and duties, make ſuch allowance to the clerk or regiſter, treaſurer, and ſurveyor or ſurveyors, of ſaid road for the time being, or appoint ſuch ſalaries for them reſpectively, as to the ſaid truſtees, or any ſeven or more of them, ſhall ſeem good; ſo as ſuch allowance or ſalary for ſuch clerk or regiſter ſhall not exceed the yearly ſum of thirty pounds, and for ſuch treaſurer the yearly ſum of fifty pounds ſterling, and for ſuch ſurveyor or ſurveyors, the yearly ſum of thirty pounds ſterling in the whole.

Clerk's ſalary not above 30l. a year,

treaſurer 50l.

ſurveyors 30l.

5 *G.* 2. c. 16. 7 *G.* 2. c. 21. 23 *G.* 2. c. 16. and 6 *G.* 3. c. 14. ſave as hereby repealed, altered, or explained, continued during this act.

IX. And be it further enacted by the authority aforeſaid, that the ſaid ſeveral acts paſſed in the fifth, ſeventh, and twenty third years of the reign of his ſaid late Majeſty King George the ſecond, as alſo one other act paſſed in the ſixth year of the reign of his preſent Majeſty, intitled, *An act for the more effectually amending the publick roads*, and all and every the powers and authorities, articles, proviſoes, rules, penalties, and clauſes therein contained, except what are hereby repealed, altered, or explained, ſhall, together with all and ſingular the powers and authorities, articles, rules, and clauſes herein contained, be of full force and effect, and ſhall continue, and be executed and obſerved by the ſaid truſtees and their ſucceſſors, for and during the continuance of this preſent act.

Treaſurers ſalaries in *Weſtmeath* and *King's County* increaſed to 30l. a year.

X. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the grand juries of the county of Weſtmeath and King's County to encreaſe the ſalaries of the treaſurers of the ſaid counties reſpectively to a ſum, not exceeding thirty pounds a year in the whole for each of ſaid treaſurers.

XI. And

XI. And be it enacted by the authority aforeſaid, that the tolls, which ſhall be paid at the ſeveral gates, that ſhall be erected in purſuance of this act within ten miles of the city of Dublin, or the rents that ſhall be reſerved under leaſes to be made by the ſaid truſtees of the ſaid gates or tolls within the aforeſaid diſtance of the ſaid city, ſhall be applied in the firſt place to repair the parts of the roads next adjoining to the ſaid gates reſpectively, and ſuch parts as ſhall be neareſt to the ſaid gates, before the remote parts of the ſame ſhall be repaired, and that the repairs ſhall be carried on from time to time as aforeſaid according to the diſtance of the parts to be repaired from the ſaid gates reſpectively.

Tolls within 10 miles of *Dublin* firſt applied near the gates,

XII. And be it further enacted by the authority aforeſaid, that this preſent act ſhall be deemed, adjudged, and taken to be a publick act, and ſhall be judicially taken notice of as ſuch by all judges, juſtices, and all other perſons whatſoever, without ſpecially pleading the ſame.

A publick act.

CHAP. XL.

An act for ſettling and preſerving a publick library in the city of Armagh for ever, and for enabling the archbiſhop of Armagh to appropriate parts of a piece of waſte ground contiguous to the ſaid city to certain uſes for the benefit of the inhabitants thereof, and to make long leaſes of the remainder.

WHEREAS the moſt reverend father in God Richard lord archbiſhop of Armagh, primate and metropolitan of all Ireland, out of his generous inclinations to the publick good of this kingdom, for the propagation of the chriſtian religion as by law eſtabliſhed, and for the encouragement of learning, hath at his own coſts and charges erected and built a houſe upon a ſpot of ground, part of the eſtate of the ſee of Armagh in the city of Armagh, and hath fitted and prepared the principal part of the ſaid houſe for a publick library for ever for the uſe of all perſons, who ſhall reſort thereto at the hours to be appointed for the library-keeper's attendance, and ſhall conform themſelves to the rules, orders, and directions of the governors thereof for the time being; and hath alſo provided all things convenient for the better order, uſe, and ſtanding of the books intended to be kept therein; and hath likewiſe fitted and prepared the remainder of the ſaid houſe for the accommodation and habitation of a perſon to be appointed library-keeper and his ſucceſſors, keepers of the ſaid

The houſe built by archbiſhop of *Armagh* for a publick library, ground, and all appurtenances, with 10 acres, and all gifts or deviſes to uſe thereof, veſted in truſtees for ever to uſes herein, and ſuch as declared by donors or deviſors, unalienable, free from all taxes, unleſs expreſsly by name.

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ſaid library, for ever; and hath alſo laid out a piece of ground for a court to the ſaid houſe, which houſe is ſituated in Abbey-ſtreet in the ſaid city, the ſaid houſe and ground for a court containing in front to Abbey-ſtreet aforeſaid one hundred and fifty three feet, as likewiſe ten acres of land, part of the town land of Liſanally, the eſtate of the ſee of Armagh, near the ſaid city of Armagh, now in the poſſeſſion of the ſaid archbiſhop, for the accommodation of ſuch library-keeper: at the ſuit therefore of the ſaid Richard lord archbiſhop of Armagh be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the houſe before mentioned to have been built by the ſaid Richard lord archbiſhop of Armagh, the ground on which it ſtands, and the ſaid court, and all other appurtenances to the ſaid houſe and library belonging, together with the ſaid ten acres of land in the town land of Liſanally, from the time of paſſing this act be actually ſettled and veſted, and that all lands, tenements, ſum or ſums of money, books printed and manuſcripts, and all other things of what kind or nature ſoever, which ſhall at any time from thenceforth be given or diſpoſed of, whether perſonally, or by deed, or will, to the uſe of the ſaid library, or office of library-keeper, be veſted in the archbiſhop of Armagh for the time being, the reverend doctor Hugh Hamilton dean of Armagh, the reverend doctor Arthur Jacob chanter of the cathedral church of ſaint Patrick's, Armagh, the reverend Alexander Biſſet chancellor of the ſaid cathedral, the reverend doctor Francis Hamilton treaſurer of the ſaid cathedral, the reverend Charles Walter Congrave, maſter of arts, archdeacon of Armagh, the reverend doctor William Godly the prebendary of Mullagbrack, the reverend doctor Henry Leſlie, prebendary of Ballymore, the reverend Brabazon Diſney, prebendary of Loughall and the prebendary of Tynan when inſtituted, the ſame being now vacant, and their ſucceſſors ſeverally for the time being, for ever in truſt, and to and for the reſpective uſes, intents, and purpoſes, herein before mentioned to be intended concerning the ſame reſpectively, to the uſe of the ſaid library, or library-keeper, for ever, and to ſuch other uſes, intents, and purpoſes, as ſhall be declared or appointed by the perſon and perſons giving, granting, or deviſing the ſame, and to no other uſe, intent, or purpoſe whatſoever; and that the ſame ſhall remain, continue, and be in the ſaid truſtees and their ſucceſſors for ever unalienable, and without their being capable of forfeiting ſelling incumbering, or otherwiſe diſpoſing of the ſame,

ſame, otherwiſe than as hereinafter mentioned; the ſaid houſe, and library, and ground for a court thereunto belonging, in the ſaid city of Armagh, to be and remain free from all manner of taxes, impoſed or hereafter to be impoſed by act of parliament, unleſs the ſame ſhall be charged expreſly and by name, any law, uſage, or cuſtom to the contrary thereof in any wiſe notwithſtanding.

Created a corporation for purpoſes herein only,

II. And for the better preſervation of all the ſaid books, and of the ſaid houſe and library, with their and every of their appurtenances, and for making the ſaid library more uſeful to the publick, be it further enacted by the authority aforeſaid, that the lord archbiſhop of Armagh for the time being, and the reverend doctor Hugh Hamilton dean of Armagh, the reverend doctor Arthur Jacob chanter of the cathedral church of ſaint Patrick's, Armagh, the reverend Alexander Biſſet chancellor of the ſaid cathedral, the reverend doctor Francis Hamilton treaſurer of the ſaid cathedral, the reverend Charles Walter Congrave, maſter of arts, archdeacon of Armagh, the reverend doctor William Godley prebendary of Mullaghbrack, the reverend doctor Henry Leſlie, prebendary of Ballymore, the reverend Brabazon Diſney, prebendary of Loughall, and the prebendary of Tynan, when inſtituted, the ſame being now vacant, and their ſucceſſors, ſeverally, for the time being, for ever, be created a corporation or body politick for the purpoſes herein contained only, and be appointed governors and guardians of the ſaid houſe and library, built and erected by Richard lord archbiſhop of Armagh; and that the ſaid governors and guardians be authorized to elect two perſons of the dioceſe of Armagh to be joined with them in the aforeſaid truſt as governors and guardians of the ſaid houſe and library; and upon the death or reſignation of any ſuch elected governors and guardians from time to time to elect other fit perſon or perſons to be governors or guardians in their room; and that the ſaid governors and guardians for the time being in their own names and deſcriptions as aforeſaid, as by the title of governors and guardians of the library erected by Richard lord archbiſhop of Armagh at Armagh, ſhall have power, and be authorized, impowered, and enabled to accept, take, and receive all ſuch gifts, grants, and legacies as aforeſaid, and to ſtand and be ſeized, and poſſeſſed thereof for ever, to the uſes, and under the truſts aforeſaid, and be capable to ſue for the ſame in any court of law or equity, the ſtatute of mortmain, and all other laws, ſtatutes, uſages, or cuſtoms to the contrary thereof in any wiſe notwithſtanding:

and appointed governors and guardians of ſaid houſe and library,

may elect 2 of the dioceſe joined in the truſt,

and others on their death or reſignation,

take and ſue for gifts and legacies, notwithſtanding ſtatute mortmain and all other laws & cuſtoms,

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and that they, the ſaid governors and guardians, or any three or more of them, the archbiſhop of Armagh for the time being being preſent, and of that number, but in caſe of his being ſick, or abſent out of this kingdom, or during the vacancy of the ſaid ſee, that then any five or more of the ſaid governors and guardians ſhall have power and authority and be authorized to meet together from time to time, and as often as there ſhall be occaſion, to conſider of and to make ſuch reaſonable rules and orders for the better government and management of the ſaid houſe and library, as they ſhall think neceſſary and convenient; to which rules and orders, by the ſaid governors and guardians made as aforeſaid, the library-keeper for the time being ſhall for ever be ſubject, and ſhall from time to time obſerve, on pain of being ſuſpended from the ſaid office or employment, and from the income, profits, and lodgings thereunto belonging, at and during the pleaſure of the ſaid governors and guardians.

3, the archbiſhop one, or 5 on his abſence or vacancy, may make rules & orders,

obſerved by librarian on pain of ſuſpenſion.

III. And be it further enacted by the authority aforeſaid, that in caſe the ſaid library-keeper ſhall continue obſtinate ſeven days after his being ſuſpended as aforeſaid, and will not obſerve the orders, rules, and directions of the ſaid governors and guardians, that then, and in ſuch caſe, the ſaid governors and guardians, or any five or more of them, the archbiſhop of Armagh for the time being being preſent and of that number, ſhall have power and be authorized to meet together, and to deprive and remove the ſaid library-keeper off and from the ſaid office or employment, and to take from him the income, profits, and lodgings to the ſaid office belonging, from the time of his continuing and being declared obſtinate as aforeſaid, and alſo that another library-keeper be nominated and appointed, in like manner as if the library-keeper ſo deprived or removed, was naturally dead.

If obſtinate 7 days, 5 (archbiſhop 1) may remove,

another appointed.

IV. And be it further enacted by the authority aforeſaid, that the nomination and appointment of a library-keeper for the ſaid library, and of his ſucceſſor and ſucceſſors from time to time, ſo often as there ſhall be occaſion, upon the death of the library keeper for the time being, or upon the ſurrender, forfeiture, or other avoidance of the ſaid office, be veſted in the archbiſhop of Armagh for the time being; and that the perſon ſo nominated and appointed, and none other, ſhall be library-keeper for the time being, and hold that office during his good behaviour, and be intitled to the lodgings and apartments in the ſaid houſe allotted for the keeper of the ſaid library, or ſuch parts thereof as the ſaid governors and guardians ſhall think fit, and

Appointment of librarian veſted in archbiſhop,

and during good behaviour,

to

to the ſaid court thereto belonging, and land aforeſaid, and to the ſalary to the ſaid office belonging. Provided the perſon ſo nominated and appointed library-keeper, be a preſbyter of the church of England or Ireland as by law eſtabliſhed, and that he ſhall have taken the degree of maſter of arts in one of the univerſities or colleges of that part of Great Britain commonly called England, or Ireland, and that before his admiſſion to the office of library-keeper, he ſhall give to the ſaid governors and guardians ſecurity to the value of five hundred pounds ſterling by recognizance, with ſufficient ſecurities, that none of the ſaid books ſhall be loſt, or otherwiſe embezzled, and ſhall alſo take the oath following, viz.

a preſbyter of eſtabliſhed church, maſter of arts in *England* or *Ireland*, on recognizance 500l. with ſureties for the books, and take oath.

I A. B. *do ſwear, that I will uſe my utmoſt care and endeavour to preſerve all the books and other things, which are or ſhall be committed to my charge by the governors and guardians of the public library, built and erected in Armagh by Richard Lord Archbiſhop of Armagh, and that I will not wittingly or willingly ſuffer any of the ſaid books during my continuance in the office of library-keeper to be lent abroad, (unleſs permitted ſo to do by an order of the governors and guardians at the general viſitation) given away or embezzled, or to be any wiſe damnified through my fault; and that I will to the utmoſt of my power obſerve all ſuch ſtatutes, rules, and conſtitutions already made, or which ſhall hereafter be made, concerning the ſaid office of library-keeper, while the ſame ſhall continue in force, and I ſhall continue in the ſaid office.*

So help me God.

Librarian's oath.

Which ſaid oath the archbiſhop of Armagh for the time being or in caſe of his being abſent, or being ſick, or of the vacancy of that ſee, any two or more of the ſaid governors and guardians, ſhall be authorized and impowered to adminiſter, and to tender the ſame.

Adminiſtered by archbiſhop, or on abſence or vacancy by any 2,

V. Provided always, that it may be lawful for the ſaid governors and guardians, or any three or more of them, to change any book or books, which ſhall be given to the ſaid library, and, where there ſhall appear to be duplicates in the ſame, for other books to be put into the ſaid library, or to ſell ſuch duplicates, and with the money ariſing by the ſale thereof to buy ſuch other books, as they ſhall think proper, to be put into the ſaid library, any thing herein contained to the contrary notwithſtanding.

3 may change or ſell duplicates of books, and buy others.

VI. And be it further enacted by the authority aforeſaid, that the ſaid governors and guardians, or any three or more of them, whereof

3, archbiſhop preſent, or on abſence,

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whereof the archbiſhop of Armagh, unleſs then ſick, or out of this kingdom, or that the ſaid ſee ſhall happen to be vacant, ſhall always be one, and in caſe of ſuch abſence or ſickneſs that one of the governors aforeſaid, whom the ſaid archbiſhop ſhall under his hand and archiepiſcopal ſeal appoint to be preſent and of that number, ſhall on the day preceding or next after the general annual viſitation of the ſaid dioceſe at Armagh perſonally viſit every year the ſaid library, and inſpect the ſtate and condition of the ſame, and of every thing therein contained, and at ſuch their viſitation make ſuch orders and rules, and give ſuch directions concerning the ſame, as to them, or the major part of them, ſhall ſeem neceſſary and convenient; and that the ſaid governors and guardians may adjourn their ſaid viſitations to ſuch further time or times, as they, or the major part of them, ſhall think fit.

a governor under his hand and ſeal ſhall on the day before or after annual viſitation viſit the library, inſpect and make rules,

may adjourn viſitations.

VII. And whereas it is neceſſary, that the ſaid governors and guardians ſhould have due notice of the time and place for their meeting to execute the truſt repoſed in them by this act: be it further enacted by the authority aforeſaid, that the archbiſhop of Armagh for the time being, or in caſe of his abſence or neglect that then any two of the ſaid governors and guardians, be directed to give due notice or ſend ſummons to each of the ſaid governors and guardians, of the time and place intended for the meeting of the ſaid governors and guardians for the purpoſes aforeſaid two days at leaſt before the time of ſuch meeting.

Archbiſhop, or on abſence or neglect any 2, to give 2 days notice of meeting to each.

VIII. And whereas ſeveral other publick as well as private buildings have within theſe few years laſt paſt been erected in and about the ſaid city, and further buildings and enlargements to the ſaid city are now carrying on; and it being repreſented that a parcel of land adjoining to the ſaid city, and containing nine acres, one rood, and thirty ſeven perches, Iriſh plantation meaſure, which is part of the eſtate of the archbiſhoprick of Armagh, and is ſurrounded on every part by land the property of the ſaid ſee, and that the ſame being coarſe and ſwampy no part thereof hath ever been let, except a ſmall ſpot which was demiſed by Hugh, formerly lord archbiſhop of Armagh, for the term of forty years in the year one thouſand ſeven hundred and thirty ſix to the government for a barrack, which barrack fell down in ruins many years ago, and a new barrack is now building on other ground the eſtate of the ſaid ſee, and that the reſt of the ſaid land has been waſte ground ſerving principally for holding fairs, and from the ſwampy condition, in which it remains, is unhealthy, and in many reſpects a nuiſance to the ſaid city,

city: at the ſuit therefore of the ſaid Richard lord archbiſhop of Armagh, and the humble ſuit of the ſovereign and burgeſſes of the city of Armagh, be it further enacted by the authority aforeſaid, that the ſaid parcel of waſte land, containing nine acres, one rood, and thirty ſeven perches as aforeſaid, with all buildings which ſhall ſtand thereupon, ſhall be and remain veſted in the ſaid Richard lord archbiſhop of Armagh and his ſucceſſors archbiſhops of Armagh for ever, to the intent and purpoſe that the ſaid Richard lord archbiſhop of Armagh or his ſucceſſors may and are hereby authorized to cauſe ſuch roads, as he ſhall think neceſſary, to be made through the ſaid ground from the ſaid city to the roads leading on each end of the ſaid ground from the ſaid city to different parts of the county, and to parcel out the remainder of the ſaid ground into ſo many diviſions, as he or they ſhall think proper, and by deed under his or their hand and archiepiſcopal ſeal to appropriate ſuch diviſions, or ſo many of them as he or they ſhall think fit, ſeverally for the uſe of holding fairs and for holding markets, and for ſuch other uſes as he and they ſhall judge to be moſt advantageous to the inhabitants of the ſaid city, from thenceforth to remain ſo appropriated for ever; and to demiſe and leaſe by indenture under his and their hand and archiepiſcopal ſeal the remainder of ſuch diviſions, as alſo ſuch part of the diviſion to be appropriated for markets, as ſhall be neceſſary for ſhambles, from time to time, for any number of years not exceeding ſixty years, taking ſuch fines upon each demiſe and renewal, and reſerving thereupon ſuch annual rent, as he and they ſhall think fair and reaſonable, ſuch rent to be made payable to the ſaid archbiſhop and his ſucceſſors.

Waſte land veſted in archbiſhop and ſucceſſors,

to make roads,

and in diviſions for fairs, markets and other uſes for the inhabitants,

by deed under ſeal,

ſo appropriated for ever,

and to demiſe not above 60 years, on fines and reaſonable rent.

IX. And be it further enacted by the authority aforeſaid, that all ſuch fines and rents, ſo to be paid from time to time to the ſaid archbiſhop and his ſucceſſors, ſhall be applied by him and them from time to time to ſuch uſes and purpoſes, as ſhall appear to him and them to be of moſt advantage to the ſaid corporation and the inhabitants of the ſaid city, and for no other uſe or purpoſe whatſoever.

Applied only as moſt advantageous to ſaid corporation and inhabitants.

X. And for the better carrying this plan into execution, and for removing any obſtructions which might proceed from irregularity or inconvenience in the out lines of the ſaid waſte ground, or any parts thereof, in forming ſuch diviſions as aforeſaid, that the ſaid archbiſhop or his ſucceſſors may, and is, and are hereby authorized to exchange ſo much of other land, the eſtate of the ſaid ſee, as will be neceſſary for thoſe purpoſes, for a part of equal value of the ſaid waſte land, aſcertaining the

Archbiſhop may for thoſe purpoſes exchange parts of the ſee for equal value of ſaid waſte,

aſcertaining under

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quantities and parts ſo to be exchanged by writing under his or their hand and archiepiſcopal ſeal, and lodging in the office of the regiſter of the ſaid ſee ſuch writing, or a duplicate thereof, together with a ſurvey of the parts ſo exchanged one for the other certified under the hand and archiepiſcopal ſeal of the ſaid archbiſhop, or his ſucceſſor; ſaving nevertheleſs to his Majeſty, his heirs and ſucceſſors, and ſaving to all other perſon and perſons, bodies politick and corporate, their heirs, executors, adminiſtrators, and ſucceſſors, other than the ſaid Richard lord archbiſhop of Armagh, and his executors, adminiſtrators, and ſucceſſors, the ſaid ſovereign, burgeſſes, and corporation, and inhabitants of the city of Armagh, all ſuch right, title, or intereſt, as they or any of them had, or may or might have, in, to, or in any wiſe concerning the premiſſes herein before mentioned, or any part, parcel, or particular thereof hereby intended to be veſted in the aforeſaid truſtees ſeverally, for the reſpective uſes, intents, and purpoſes before mentioned, as if this act had never been made.

hand and ſeal, and regiſtering with ſurvey,

ſaving right of others.

A publick act.

XI. And be it enacted by the authority aforeſaid, that this act ſhall be deemed, taken, and allowed in all courts within this kingdom as a publick act, and that as ſuch all judges ſhall take notice thereof without ſpecially pleading the ſame.

CHAP. XLI.

An act for reviving and continuing ſeveral temporary ſtatutes, and to prevent the deſtructive practice of trawling for fiſh in the bay of Dublin.

WHEREAS the ſeveral temporary laws and ſtatutes herein after mentioned are found to be of general uſe, and fit to be revived and continued: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that an act paſſed in this kingdom in the twenty ninth year of the reign of his late Majeſty king George the ſecond, entitled, *An act for better regulating juries*, and all and every the clauſes and proviſoes therein contained, ſhall be revived and continued in force for ever.

Juries.

29 *G.* 2. c. 6, perpetual.

Game.

II. And be it further enacted by the authority aforeſaid, that an act paſſed in this kingdom, in the third year of his preſent

3 *G.* 3. c. 23, & 31 *G.* 2, c. 9, ſ. 4.

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Majeſty's reign, entitled, *An act for the better preſervation of the game*, and alſo one clauſe in an act of the thirty firſt of king George the ſecond, entitled, *An act for reviving, continuing, and amending ſeveral temporary ſtatutes*, which makes the killing and deſtroying wild turkies ſubject and liable to certain penalties and forfeitures, be continued in force to the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and to the end of the then next ſeſſion of parliament, and no longer.

as to wild turkeys, continued to 24 June 1778, &c. to 24 June 1790, &c. 17 & 18 G. 3, c. 36. ſ. 6.

III. And be it enacted by the authority aforeſaid, that an act paſſed in this kingdom in the firſt year of his preſent Majeſty's reign, entitled, *An act for preventing frauds in the vending, preparing, and adminiſtering drugs and medicines*, be continued in force to the twenty fourth day of June one thouſand ſeven hundred and eighty one, and to the end of the then next ſeſſion of parliament, and no longer.

Drugs.

1 G. 3, c. 14, continued to 24 June 1781, &c.

IV. And be it further enacted by the authority aforeſaid, that an act paſſed in this kingdom in the fifth year of his preſent Majeſty's reign, entitled, *An act for the further encouragement of tillage in this kingdom*, be continued in full force to the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix, and to the end of the then next ſeſſion of parliament.

Corn, &c.

5 G. 3. c. 19, continued to 24 June 1776, &c. Expired.

V. And whereas a clauſe in an act of the tenth year of the reign of his Majeſty king George the firſt, entitled, *An act for continuing and amending an act for better regulating pariſh watches, and amending highways, and ſo forth*, which clauſe, ſo far as it relates to pariſh watches, was afterwards continued by an act paſſed in this kingdom in the eleventh and twelfth years of his preſent Majeſty's reign: be it enacted by the authority aforeſaid, that the ſaid clauſe in the ſaid recited acts mentioned, be further continued in force to the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix, and to the end of the then next ſeſſion of parliament.

Watch.

Clauſe 10 G. 1. c. 3. continued as to pariſh watch by 11 & 12 G. 3. c. 19. ſ. 2. further to 24 June 1776, &c. Expired.

VI. And be it further enacted by the authority aforeſaid, that an act made in this kingdom in the twenty fifth year of his late Majeſty king George the ſecond, entitled, *An act for the better preſervation of the game*, be continued in force to the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and to the end of the then next ſeſſion of parliament.

Game.

25 G. 2. c. 5. continued to 24 June 1778, &c. to 24 June 1790. &c. 17 & 18 G. 3. c. 36. ſ. 6.

VII. And be it further enacted by the authority aforeſaid, that an act paſſed in this kingdom in the twenty fifth year of his late Majeſty king George the ſecond, entitled, *An act for the more effectual execution of orders of courts of juſtice for giving and quieting poſſeſſions, and alſo for the more effectual bringing to juſtice ſuch perſons as ſhall inliſt his Majeſty's ſubjects to ſerve as ſoldiers in foreign ſervice, without licence*, and alſo one other act made in this kingdom in the twenty fifth year of his ſaid Majeſty king George

Poſſeſſion.

Foreign ſervice.

Corn, &c.

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George the ſecond, entitled, *An act for buying and ſelling all ſorts of corn and meal, and other things therein mentioned, by weight, and for the more effectual preventing of frauds committed in the buying and ſelling thereof*, be continued in full force to the twenty fourth day of June one thouſand ſeven hundred and eighty one, and to the end of the then next ſeſſion of parliament.

25 *G.* 2. c. 12 & 15. continued to 24 June 1781 &c.

Clerks.

VIII. And be it further enacted by the authority aforeſaid, that an act paſſed in the thirty third year of the reign of his late Majeſty king George the ſecond for reviving and amending an act made in the twenty third year of his ſaid Majeſty's reign, ſo far as the ſame relates to the more eaſy providing a maintenance for pariſh clerks, be continued in full force to the twenty fourth day of June one thouſand ſeven hundred and eighty, and to the end of the then next ſeſſion of parliament.

33 *G.* 2. c. 11. as to maintenance for clerks continued to 24 June 1780, &c. *and by* 15 & 16 *G.* 3. *to June* 1783, &c.

Colliers & Miners.

IX. And be it further enacted by the authority aforeſaid, that a clauſe in an act of the firſt year of his preſent Majeſty's reign, relative to colliers and miners who abſent themſelves in breach of contract without licence or diſcharge, which was afterwards continued with amendments by an act made in the fifth year of his preſent Majeſty's reign, entitled, *An act for continuing ſeveral temporary ſtatutes*, be further continued to the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and to the end of the then next ſeſſion of parliament.

1 *G.* 3. c. 17. ſ. 17. continued by 5 *G.* 3. further to 24 June 1778, &c. *to* 24 *June* 1790, &c. 17 & 18 *G.* 3. c. 36. ſ. 4.

Tithes.

X. And whereas an act paſſed in the firſt year of the reign of his late Majeſty king George the ſecond, entitled, *An act for the more eaſy recovery of tythes and other eccleſiaſtical dues of ſmall value*, which ſaid act was afterwards from time to time continued by ſeveral ſubſequent acts, but is now near expiring: be it enacted by the authority aforeſaid, that the ſaid recited act, and all and every the clauſes therein contained, ſo far as they relate to the recovery of tythes and other eccleſiaſtical dues of ſmall value, be made perpetual.

1 *G.* 2. c. 12. as to tithes and ſmall dues, perpetual

Seamen.

XI. And be it further enacted by the authority aforeſaid, that an act made in this kingdom in the fifth year of his late Majeſty king George the ſecond for the better regulating and government of ſeamen in the merchants ſervice, be continued in full force to the twenty fourth day of June one thouſand ſeven hundred and eighty two, and to the end of the then next ſeſſion of parliament, and no longer.

5 *G.* 2. c. 23. continued to 24 June 1782, &c.

Fiſh.

XII. And whereas the practice of trawling, as now carried on in the bay of Dublin, tends to injure the fiſhery thereof: be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall from and after the firſt day of June next take or deſtroy

any

any fiſh whatſoever in the bay of Dublin by trawling, ſuch perſon or perſons ſhall, on due proof thereof made before any one or more juſtices of the peace of the county or county of the city of Dublin, forfeit and pay the ſum of ten pounds, together with the boat or veſſel which ſhall be ſo employed in ſuch trawl-fiſhing, with all her tackle, ſails, and rigging thereunto belonging; together with ſuch fiſhing-trawls and geer made uſe of in ſuch trawling; the ſaid ſum of ten pounds to be levied by diſtreſs and ſale of the goods of the perſon or perſons ſo offending; one moiety thereof to the uſe of the marine ſociety, and the other moiety to the uſe of ſuch perſon or perſons who ſhall inform and proſecute to conviction the perſon or perſons, who ſhall be found guilty of trawling as aforeſaid.

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trawling in *Dublin* bay, penalty 10l. the boat, tackle, &c. *amended* 15 & 16 *G.* 3. *c.* 31.

by diſtreſs and ſale, to marine ſociety and proſecutor.

XIII. And whereas trawling in ſaid bay has been practiſed frequently by many of his Majeſty's revenue officers: to prevent which be it further enacted by the authority aforeſaid, that any ſuch officer tranſgreſſing ſaid act in veſſels, whether belonging to the revenue or otherwiſe, upon conviction thereof before one or more juſtices of the peace of the county or county of the city of Dublin, ſhall forfeit in like manner the ſum of twenty pounds, together with the trawl and tackling belonging thereto, to be recovered and applied in manner aforeſaid; which penalties and forfeitures to be in force to the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and to the end of the then next ſeſſion of parliament.

Penalty on revenue officers, 20l.

continued to 24 June 1778, &c. *to* 24 *June* 1790, &c. 17 & 18 *G.* 3. *c.* 36. *ſ.* 6.

CHAP. XLII.

An act for reviving, continuing, and amending ſeveral temporary ſtatutes, and for other purpoſes therein mentioned.

Vermin.

WHEREAS the ſeveral laws herein after mentioned have been found uſeful, it is therefore thought neceſſary to have the ſame continued: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that a clauſe in an act paſſed in the ſeventeenth year of the reign of his late Majeſty king George the ſecond, intitled, *An act to prevent the pernicious practice of burning land, and for the more effectually deſtroying vermin*; and which clauſe for the more effectual deſtroying of vermin,

17 *G.* 2. *c.* 10. *ſ.* 8. amended by 11 & 12 *G.* 3. *c.* 19. *ſ.* 4. continued from 24 June 1774, 10 years, &c.

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vermin, with an exception for rooks and herons, was from time to time revived and continued by other ſubſequent acts, and which was continued and amended by an act made in the eleventh and twelfth years of his preſent Majeſty, intitled, *An act for reviving and continuing ſeveral temporary ſtatutes*, and is now near expiring, ſhall, together with the ſaid amendments, be continued and remain in force from the twenty fourth day of June one thouſand ſeven hundred and ſeventy four for ten years, and to the end of the then next ſeſſion of parliament.

Weights.

25 *G.* 2. c. 15. ſ. 10. recited

II. And whereas an act paſſed in this kingdom in the twenty firſt year of the reign of his late Majeſty king George the ſecond, intitled, *An act for buying and ſelling all ſorts of corn and meal, and other particulars therein mentioned, by weight, and for the more effectual preventing the frauds committed in the buying and ſelling thereof*, it is among other things enacted, that all and every perſon and perſons, who ſhould for hire, price, or other gratuity, weigh at any ſcales erected by them any butter, corn, or grain, hides, tallow, meat, or potatoes, expoſed to ſale in the markets, not being their own goods and property, ſhould for each and every draft by them ſo weighed forfeit the ſum of two ſhillings and ſix pence: and whereas the ſaid act was revived and amended by an act made in this kingdom in the thirty firſt year of the reign of his late Majeſty king George the ſecond, intitled, *An act for reviving, continuing, and amending ſeveral temporary ſtatutes*, and was after continued with the ſaid amendments for ſeven years by an act made in the ſeventh year of the reign of his preſent Majeſty, intitled, *An act for continuing amending, and reviving ſeveral temporary ſtatutes*, and which ſaid act is now near expiring: and whereas private ſcales, in which falſe and illegal weights are commonly uſed, are very detrimental to the publick: be it enacted by the authority aforeſaid, that the ſaid recited act of the twenty fifth year, and alſo the other recited act of the thirty firſt year, of his late Majeſty king George the ſecond, ſo far as the ſame relates to weighing of butter, corn, or grain, hides, tallow, meal, potatoes, or other goods, in a private and clandeſtine manner, ſhall be revived, and continue in full force for the term of eleven years from the twenty fifth day of March one thouſand ſeven hundred and ſeventy four, and from thence to the end of the then next ſeſſion of parliament.

amended 31 *G.* 2. c. 9.

and continued 7 *G.* 3. c. 20. ſ. 9.

private ſcales detrimental.

25 *G.* 2. c. 15 & 31 *G.* 2. c. 9. as to private and clandeſtine weighing, continued 11 years from 25 March 1774, &c.

Corporations.

III. And whereas by the charters of ſeveral boroughs and corporations a majority of the burgeſſes, or other members of ſuch boroughs or corporations, are required to be preſent at the ſwearing of the portrieve or other chief magiſtrate of the ſame, which

no chief magiſtrate, duly elected,

is frequently attended with great inconvenience to the members of ſuch boroughs and corporations: for remedy whereof be it enacted by the authority aforeſaid, that no perſon, who hath been or ſhall be duly elected into any ſuch office, ſhall be in any ways ſued, moleſted, or proſecuted for or on account of any objection, which ſhall be taken, becauſe there had not been a ſufficient number of burgeſſes or other members of ſuch borough or corporation preſent at the ſwearing of ſuch officer; provided ſuch officer ſhall have taken the oaths required by law in the preſence of two of the burgeſſes or members of ſuch borough or corporation in the publick market houſe, or toll houſe, or uſual place of holding aſſemblies of ſuch borough or corporation, between the hours of ten in the morning and three in the afternoon; and ſuch officers ſhall be deemed legal officers of ſuch boroughs or corporations: and all corporate acts, which have been or ſhall be done by them, ſhall have the ſame force and effect, as if ſuch officers had been reſpectively ſworn purſuant to the direction of the ſaid reſpective charters.

proſecuted for want of a number of members at ſwearing,

taking the oaths publickly between 10 & 3 in preſence of two,

their corporate acts valid, as if ſworn purſuant to charter.

IV. And whereas by an act made in the fifth year of the reign of his preſent Majeſty, intitled, *An act for erecting and eſtabliſhing publick infirmaries or hoſpitals in this kingdom*, it is enacted, that hoſpitals or infirmaries ſhould be erected in the county towns of ſeveral counties therein mentioned, or at a diſtance not exceeding one mile from the court houſe of the ſaid county towns; and amongſt the reſt that an hoſpital or infirmary ſhould be erected in the county town of the county of Leitrim, or at a diſtance not exceeding one mile from the court houſe in the ſaid county town: and whereas the town of Carrick upon Shannon is the county town for the ſaid county of Leitrim, and that it has been found impracticable to purchaſe or procure a fee farm grant or perpetual leaſe of any ground in the ſaid town of Carrick upon Shannon, or within one mile of the court houſe in the ſaid town, whereon an infirmary or hoſpital could be erected for the benefit of ſaid county of Leitrim purſuant to the ſaid ſtatute: and whereas a perpetual leaſe of two acres of ground at a pepper corn rent have been granted in the town of Mohill in the ſaid county of Leitrim for the purpoſe of erecting thereon an hoſhoſpital or infirmary purſuant to the ſaid act: be it enacted by the authority aforeſaid, that the governors of the hoſpital or infirmary of the county of Leitrim may accept of the grant the ſaid leaſe of two acres of ground in the town of Mohill aforeſaid, and upon the ground thereby granted erect an infirmary or hoſpital, which ſhall be deemed and taken

Hoſpitals.

5 *G.* 3. c. 20.

County hoſpital for *Leitrim*, to be erected on a perpetual leaſe of 2 acres in *Mohill*, as effectual as if in the county town or 1 mile of the court houſe as by 5 *G.* 3. c. 20.

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to be the hoſpital or infirmary of the county of Leitrim; and the ſaid infirmary or hoſpital, and the governors and governeſſes thereof for ever hereafter ſhall be ſubject to the ſame government and regulations, and have and enjoy all and every the ſame powers, rights, immunities, privileges, gifts, grants, benefits, advantages, and emoluments whatſoever, as fully and effectually to all intents and purpoſes by virtue of the ſaid recited ſtatute or otherwiſe, as if the ſaid infirmary or hoſpital had been erected in the ſaid town of Carrick upon Shannon, or within one mile of the court houſe therein, any thing in the ſaid recited ſtatute to the contrary notwithſtanding.

Judgments.

3 *G.* 2. c. 7. perpetual.

V. And whereas an act paſſed in the third year of the reign of his late Majeſty King George the ſecond, intitled, *An act for the better diſcovery of judgments in the courts of king's bench, common pleas, and exchequer at Dublin, and for the greater ſecurity of purchaſers*; which ſaid act has been continued by ſeveral acts of parliament, but is near expiring, and which was a very beneficial law: be it enacted by the authority aforeſaid, that the ſaid act, and all and every clauſe, article, and thing therein contained, ſhall be continued and be in force for ever.

Game.

Tracing hares in ſnow on grounds of others,

penalty not under 10s. nor above 20s. every hare,

heard ſummarily,

to informer.

VI. And whereas the practice of tracing hares in the ſnow is highly injurious: be it enacted by the authority aforeſaid, that all and every perſon and perſons, who ſhall be convicted of tracing hares in the ſnow upon any lands or grounds not belonging to themſelves before any one or more juſtice or juſtices of peace in the county, where ſuch offence ſhall be committed, (ſuch juſtice or juſtices is and are hereby impowered and required to hear and determine the ſame in a ſummary way) ſhall forfeit a ſum not leſs then ten ſhillings, nor more than twenty ſhillings, for every ſuch hare, which ſhall be taken or killed by means of following the tracks of ſuch hare in the ſnow; the ſaid penalty to be paid over by ſuch juſtice or juſtices of the peace to the informer or informers.

Killing game by night, or uſing gun, dog, or other engine, ſave on their own grounds,

VII. And be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four if any perſon or perſons ſhall wilfully, upon any pretence whatſoever take, kill, or deſtroy any hare, pheaſant, partridge, moor game, heath game, or grouſe, in the night between one hour after ſun ſetting and one hour before ſun riſing, or uſe any gun, dog, ſnare, net, or other engine for taking, killing, or deſtroying any hare, pheaſant, partridge, moor game, heath game, or grouſe, in the night as aforeſaid,

except

except upon their own lands, and ſhall be convicted thereof upon the oath or oaths of one or more credible witneſs or witneſſes before any one or more juſtice or juſtices of the peace for any county; every ſuch perſon ſhall for the firſt offence be committed to the common gaol or houſe of correction, there to remain without bail or mainprize for any time not exceeding two calendar months, nor leſs than one calendar month.

on 1 witneſs before any juſtice, confined not above 2, nor under 1, month.

VIII. And for the more eaſy and ſpeedy conviction of offenders againſt the ſeveral clauſes in this act relative to the game, be it enacted by the authority aforeſaid, that all and every juſtice and juſtices of the peace, before whom any perſon or perſons ſhall be convicted of any offence relative to the game againſt this act, ſhall and may cauſe the conviction to be drawn up in the following form of words, or in any form of words to the ſaid effect, as the caſe ſhall happen, *viz.*

Form of conviction for offence relative to game.

Be it remembered, that on the day of in the year of our Lord, A. B. is convicted before me C. D. *one of his Majeſty's juſtices of peace for the county* (ſpecifying the offence, and time, and place, when and where the ſame was committed, as the caſe ſhall be). *Given under my hand and ſeal the day and year aforeſaid.*

IX. And be it enacted by the authority aforeſaid, that if any perſon ſhall think himſelf or herſelf aggrieved by any thing done in purſuance of this act relative to the game by any one or more juſtice or juſtices of the peace, ſuch perſon may appeal to the next going judges of aſſize for the ſaid county, wherein the cauſe of complaint ſhall ariſe, who are hereby authorized and required to hear and determine the ſame, and, if need be, to cauſe to be impannelled a jury to try any fact or facts, which may ariſe upon ſuch matter of complaint, and to award ſuch coſts to the parties appealing or appealed againſt, as they the ſaid judges of aſſize ſhall think proper; ſuch perſon appealing having firſt entered into recognizance before ſome juſtice of the peace for ſuch county with two ſufficient ſureties, conditioned to try ſuch appeal, and abide the order of and to pay ſuch coſts as ſhall be awarded by the ſaid judges of aſſize; and the determination of the ſaid judges of aſſize ſhall be final, binding, and concluſive to to all intents and purpoſes; and no order made concerning any matters, proceedings, conviction, or convictions aforeſaid, relative to the game, ſhall be quaſhed for want of form, or be removed by *certiorari*, or any other writ or proceſs whatſoever into any of his Majeſty's courts of record at Dublin.

Appeal to next aſſizes,

jury if need be,

coſts to either,

recognizance by appellant with 2 ſureties,

judgment final,

no order quaſhed for form or removed to court of record.

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CHAP. XLIII.

Amended 15 & 16 G. 3. c. 31. ſ. 2.

An act for explaining and amending an act paſſed in the fifth year of his preſent Majeſty's reign, intitled, *an act for erecting and eſtabliſhing publick infirmaries or hoſpitals in this kingdom.*

Meath hoſpital eſtabliſhed the county *Dublin infirmary* as by 5 *G.* 3. c. 20.

WHEREAS by an act paſſed in the fifth year of his preſent Majeſty's reign, intitled, *an act for erecting and eſtabliſhing publick infirmaries or hoſpitals in this kingdom*, it is enacted, that receptacles be founded for the poor, who are infirm and diſeaſed, in the ſeveral counties and in the manner therein mentioned: and whereas the county of Dublin by miſtake or omiſſion hath not been provided for by the ſaid act, and the ſaid county by the great number of infirm and diſeaſed poor therein ſtands greatly in need of an hoſpital or infirmary, maintained and eſtabliſhed as thoſe of other counties have been by ſaid act: and whereas the ſeveral perſons, who have at a very conſiderable expence to themſelves by private ſubſcriptions erected at the expence of two thouſand pounds and upwards a building ſituated at a place called the Comb in ſaid county of Dublin, known and called by the name of the Meath Hoſpital, are willing without fee or reward to give up ſaid building with all its furniture, utenſils, and appurtenances to the uſe of ſaid county for ever: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that ſaid building, called the Meath Hoſpital, ſhall from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four be created and founded, erected, and eſtabliſhed the hoſpital or infirmary for ſaid county of Dublin, and be for ever hereafter deemed and conſidered to all intents and purpoſes the hoſpital for ſaid county, to be endowed with and intitled to all emoluments, rights, liberties, privileges, and advantages, as fully and effectually as any other county hoſpital in and by ſaid act provided for and mentioned.

term grand juries may preſent for uſe of the hoſpital by 19 & 20 *G.* 3. c. 44. *ſ.* 21.

The annual ſalary of 100*l.* for phyſician and chirurgeon appropriated to the general fund,

II. Provided always, that the annual ſum or ſalary of one hundred pounds, uſually granted to the phyſician and ſurgeon, be paid and appropriated to the maintenance and general fund for neceſſaries in ſaid hoſpital, and that in all other reſpects ſaid hoſpital ſhall be ſubject to the like rules and regulations as the other county hoſpitals in ſaid act mentioned, ſave only that the preſent phyſicians and chirurgeons of ſaid Meath hoſpital

the preſent phyſicians and chirur-

ſhall

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ſhall be appointed the phyſicians and chirurgeons of ſaid intended infirmary for the county of Dublin; and that it may be lawful for ſaid phyſicians and chirurgeons, or a majority of them, to elect a phyſician or chirurgeon in the room of any phyſician or chirurgeon, who from time to time by death, removal, or otherwiſe ſhall make a vacancy in ſaid hoſpital, in conſideration of their having ſerved ſaid hoſpital *gratis* theſe ſeventeen years paſt, and their having had a principal ſhare in the ſupport thereof during that period, and in erecting ſaid building, as well as the relinquiſhing in behalf of themſelves and their ſucceſſors in ſaid hoſpital all claim or title to the annual ſalary of one hundred pounds, which they otherwiſe would be intitled to in conſequence of ſaid act; any thing heretofore or in ſaid act mentioned to the contrary notwithſtanding.

geons appointed, may elect on vacancy,

in other reſpects ſubject to like rules as the other county hoſpitals in ſaid act.

CHAP. XLIV.

An act to amend an act paſſed the laſt ſeſſion of parliament, intitled, *An act for the relief of the inſolvent debtors named in the annexed ſchedules.*

WHEREAS an act of parliament was paſſed in the eleventh and twelfth years of his preſent Majeſty's reign, intitled, *An act for the relief of ſeveral inſolvent debtors named in the ſchedules annexed to ſaid act*, in which it was amongſt other things enacted, that none of the perſons in the ſecond ſchedule to the ſaid act annexed, ſhould be intitled to take any benefit under the ſaid act, unleſs two thirds of the creditors in number and value of ſuch perſons ſhould reſpectively ſign a certificate ſignifying their conſent to their diſcharge: and whereas it has appeared, by a petition preſented to the houſe of commons, ſigned by ſix inſolvents in the four court marſhalſea in the city of Dublin on behalf of themſelves and others, that the obduracy of their reſpective creditors in refuſing to ſign ſuch certificate had precluded them from any relief under the ſaid act, though they were ready to give up all, they had in the world, and to perform all the other requiſites thereby preſcribed: wherefore be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful for all and every the perſons, whoſe names are inſerted in the ſchedule hereunto annexed, at any time before the twenty fourth day of June in the year one thouſand ſeven hundred and ſeventy five to exhibit petitions to his Majeſty's courts of king's bench or common pleas in this kingdom, ſetting forth the ſeveral matters directed to be ſet forth in the petitions of the perſons, mentioned in the ſchedule annexed to an act paſſed in the firſt year of his preſent Majeſty's reign, intitled, *An act for the relief of inſolvent debtors*; and the ſaid ſeveral perſons ſhall, upon performing the ſeveral requiſites in the ſaid laſt mentioned act directed to be performed by the ſeveral perſons mentioned in the ſchedule thereunto annexed, be intitled to the like benefit and relief, and ſubject to the ſaid puniſhment in caſe of delivering a falſe and untrue account of their eſtate and effects, or concealing the ſame, as by the ſaid laſt mentioned act is directed; and the eſtates and effects of the perſons, whoſe names are inſerted in the ſchedule

By 11 & 12 *G.* 3, c. 32, 2-3ds of creditors in number and value to ſign certificate for diſcharge.

relief to inſolvents precluded by creditors' obduracy.

debtors in annexed ſchedule may before 24 June 1775, petition B. R. or C. B. as by 1 *G.* 3, c. 16.

performing requiſites, intitled to like benefit,

ſubject to like puniſhment on falſe account.

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schedule hereunto annexed, shall be subject to all and singular the terms and provisions mentioned in the said last mentioned act with respect to the estates and effects of the persons mentioned in the schedule thereto annexed.

B. R. & C. B. vested with like powers.

II. And be it enacted by the authority aforesaid, that his Majesty's courts of king's bench and common pleas respectively shall be invested with all and singular the like powers with respect to the persons, estates, and effects of the debtors named in the schedule hereunto annexed, as the said courts were invested with by the said act for the relief of the persons included in the schedule thereunto annexed.

One half in value of real creditors to sign certificate for discharge, proved on oath.

III. Provided always, that none of the persons, whose names are mentioned in the schedules hereunto annexed, shall be entitled to take any benefit under this act, unless one half in value of the real creditors of such persons respectively shall sign a certificate, expressing their consent to their discharge, the truth of which must be proved on oath, and to the full satisfaction of the court to which such petitions shall be severally preferred.

No benefit, if any fraudulent act, or preference given, or tending to defraud creditors.

IV. And provided always, that no person shall take any benefit by this act, who has made a fraudulent conveyance, or given a preference to any creditor of his or her estate, or assignment of his or her goods, either previous to or after his or her failure, or who has done, or suffered to be done, any fraudulent act, tending to defraud his or her creditors, and the same shall be made to appear to the satisfaction of the court, in which such debtor's petition is depending, by an examination *viva voce*, or by affidavit, as such court shall direct.

The

The SCHEDULE.

Stephen Holloran of Bow Bridge, Dublin, ſilk weaver.
George Bailie of Hawkins ſtreet, Dublin.
Richard Cary, printer, a priſoner in the gaol of Carrick in the county of Leitrim.
Samuel Malcolm of Abbey ſtreet, Dublin.
Benjamin Harley of the city of Dublin.
James Mackay of the city of Dublin,
John Dornan of the ſame.
Hugh Reily of the ſame.
Richard Nettervill.
Richard Jacob.
Edward Creed of the city of Cork, woolcomer.
Thomas Kiernan of the city of Dublin.

The following priſoners in the Four Court Marſhalſea.

Archibald Stevenſon	Bernard Ward
William Watts	John FitzPatrick
Chriſtopher Philips	John Neil
James Anderſon	Joſeph Plat
James Armſtrong	William Dingle
Hugh Beatty	Thomas Golding
John Holmes	John M'Carty
John O'Brien	Michael Ward
Robert Campbell	Mitchel Byrne Knox
Terence M'Mahon	Daniel Calderwood
John Kiernan	Thomas Kiernan
Patrick Stafford	Charles Reily
Thomas Connor	Mary Woods
James Peacon	Mary Byrne
Hugh Reily	James Adair
Laurence Donnelly	James Williamſon
Thomas Emett	Chriſtopher Dalton
John Nowland	William Drope
Robert Finlay	John Lalor
John M'Grath	James Farrell
Jenkin M'Grath	William Waterſon
Nicholas Clarke	James Anderſon
Francis Allen	John Clarke
Thomas Vincent	John Ormſby Donnellan
Robert Corbally	James Harrington.

Antrim. Carrickfergus Gaol.
Joſeph Simpſon.

Armagh county gaol.
Philip Hughes.

Cavan. County marſhalſea.
John Reily — Philip Lagan.

Clare. Gaol of Ennis.
Denis Flynn.

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schedule hereunto annexed, shall be subject to all and singular the terms and provisions mentioned in the said last mentioned act with respect to the estates and effects of the persons mentioned in the schedule thereto annexed.

K. B. & C. B. vested with like powers.

II. And be it enacted by the authority aforesaid, that his Majesty's courts of king's bench and common pleas respectively shall be invested with all and singular the like powers with respect to the persons, estates, and effects of the debtors named in the schedule hereunto annexed, as the said courts were invested with by the said act for the relief of the persons included in the schedule thereunto annexed.

One half in value of real creditors to sign certificate for discharge, proved on oath.

III. Provided always, that none of the persons, whose names are mentioned in the schedules hereunto annexed, shall be entitled to take any benefit under this act, unless one half in value of the real creditors of such persons respectively shall sign a certificate, expressing their consent to their discharge, the truth of which must be proved on oath, and to the full satisfaction of the court to which such petitions shall be severally preferred.

No benefit, if any fraudulent act, or preference given, or tending to defraud creditors.

IV. And provided always, that no person shall take any benefit by this act, who has made a fraudulent conveyance, or given a preference to any creditor of his or her estate, or assignment of his or her goods, either previous to or after his or her failure, or who has done, or suffered to be done, any fraudulent act, tending to defraud his or her creditors, and the same shall be made to appear to the satisfaction of the court, in which such debtor's petition is depending, by an examination *viva voce*, or by affidavit, as such court shall direct.

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Robert Finlay	John Lalor
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Jenkin M'Grath	William Waterſon
Nicholas Clarke	James Anderſon
Francis Allen	John Clarke
Thomas Vincent	John Ormſby Donnellan
Robert Corbally	James Harrington.

Antrim. Carrickfergus Gaol.
Joſeph Simpſon.

Armagh county gaol.
Philip Hughes.

Cavan. County marſhalſea.
John Reily — Philip Lagan.

Clare. Gaol of Ennis.
Denis Flynn.

Cork. County of the city gaol.
John Goold — James Hyde
William Phipps.

Donegal. Gaol of Lifford.
Lancelot Boyd.

Down. Gaol of Downpatrick.
John Ward.

Gaol of Kilmainham.
Laurence Higgins — Richard Hand
Glaſſny M'Cann — Iſaac Hays Dunbar.
Loftus Bernard

Liberty of Kilmainham Marſhalſea.
Chriſtopher Swords — James Lodge
Garret Deaſe — Robert Mothe
John Walſh — Charles Katherens
James Nowlan — James Lowe.

Dublin City Marſhalſea.
Bridget Hacket — Patrick Murray
John Coleman — John Dennis
Benjamin Bird — Nicholas Dun
Silveſter Matthews — Peter Donnelly
Patrick Brenan — Arthur Ord.
Thomas Caſſidy

Marſhalſea of the Four Courts.
Richard Cuſack — Patrick Lawleſs
Patrick Donovan — Patrick Logan
Robert Ferguſon — Patrick Stafford
Thomas Hopkins — Michael Smyth
Deniſon Hume — Daniel Toole
Darby Kirwan — Elinor Wiſe
John Lyons — William Wild.

Saint Sepulchre's Marſhalſea.
Patrick Carpenter — George Heyland.

Thomas Court and Donore Marſhalſea.
Thomas Dowling — Miles Birmingham
William Euſtace — David Hanlon
John Clarke — Stephen Mara
Richard Hale or Hall — William Thurſby
Peter Fitz-Gerald — William Kelly.

Fermanah. Eniſkilling Gaol.
Thomas M'Guire.

Galway. Town Gaol.
Hugh Mc Gomery.

King's County. Philipſtown Gaol.
Thomas Herbert Nugent.

Daniel

Limerick City Gaol.

Daniel Sheil ... John Euſtace.

Longford County Gaol.
George Moore.

Louth. Dundalk Gaol.

Thomas Byrne — Culla Mc Ilroy
Patrick Hanlon — Patrick Gartlany.

Mayo. Marſhalſea of Caſtlebar.
Richard Webſter.

Monaghan County Gaol.

John Hall — James Reynolds.

Queen's county. Maryborough Gaol.
Robert Turpin.

Tipperary. Clonmel Gaol.
John Bluet.

Tyrone. Omagh Gaol.
Robert Wilſon.

Waterford. City Gaol.
Richard Collins.

Robert Armſtrong of Clara, diſtiller.
Robert Anderſon, county Kildare, innholder.
Richard Adams of Carlow, merchant.
Samuel Brook, *alias* Brooks, of Dublin, merchant.
James Bonfield, ſilk weaver.
Richard Barker, pinmaker.
George Brown of Werburgh ſtreet, merchant.
Patrick Blake of Dublin, grocer.
Thomas Burnet of Dublin, haberdaſher.
Thomas Brewer, junior, of Dublin.
Emanuel Bigley.
Anthony Burton of Kevin's Port, dealer.
Richard Buſhell of the Liberty of Dublin, grocer.
Thomas Byrne of Cornmarket, calendar.
Thomas Croſbie of Dublin, laceman.
William Coulſon of Liſburn, linen weaver.
Robert Coppinger of Dublin, linen weaver.
Thomas Conway of Bride ſtreet, linen weaver.
Edward Conrahy of Twomile Bridge, woolcomber.
William Calcott of Dublin, baker.
Patrick Callan of Dublin, baker.
Sibella Coates, widow.
John Cantwell of Dublin, publican.
James Caffry, chairman and publican.
Luke Connor of Dublin, bricklayer.
Joſhua Coates of Dublin, broker.
Robert Doyle of Dublin, bruſhmaker.

Dennis

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Dennis Dunn of Dublin, linen draper.
Edward Deaſe of Balliver, in the county of Meath, dealer.
Richard Dalton of Dublin, hardware merchant.
John Dornan of Dublin, ſugarbaker and grocer.
Charles Doran of Moyvore, merchant.
Luke Darling of Dublin, publican.
Nicholas Doran of Patrick ſtreet, baſket maker.
James Dillon of Dublin, grocer.
John Dowling of Dublin, vintner.
Benjamin Debar of Dublin, coachmaker.
Martin Dillon of Church ſtreet, grocer.
Dickſon Evans of Dublin, merchant.
Mary Eagan of Bridgefoot ſtreet, ale-draper.
Francis Foſter of the ſame, weaver.
Joſeph Flanagan of Dublin, ſkinner.
Michael Fullum.
Adam Fleetwood of Roghra, publican.
John Farrel of Dorſet ſtreet, grocer.
Thomas Fiſher of Dublin, weaver.
James Fitz Gerald of Dublin, gentleman.
John Fleming of Dublin, merchant.
Francis Gorman of Dublin, vintner.
Michael Griffin of Dublin, linen draper.
John Gardiner, attorney.
John Giles of Thomas ſtreet, grocer.
Michael Gorman of Francis ſtreet, grocer.
Edward Gravill of Newmarket, ribbon weaver.
George Green of Glaſnevin road, dairyman.
Thomas Hammond of Dublin, merchant.
Hugh Henry, merchant.
David Holliſter of Dublin, wine merchant.
Daniel Hannan of Dolphin's barn, linen weaver.
William Hanna of Chequer lane, upholder.
George Humphries, linen printer.
Edward Haughton of Dublin, gentleman.
Benjamin Harley of the county of Dublin, ſilk weaver.
Thomas Horagan or Horgan of Ormond market, victualler.
Joſeph Hutchinſon of Limerick, ſtaymaker.
Patrick Hoy of Dublin, dealer in ſkins.
Patrick Harford of Aſton's quay, baker.
Patrick Hays of Lener Hill in the county of Cork, labourer.
Daniel Horgan of the ſame, labourer.
John Harold of Meetinghouſe yard, ſhoemaker.
Andrew Kerr of Dublin, haberdaſher.
Richard Kane of Anderſon's court, gentleman
Samuel Knot of Dublin, butcher.
Charles Kathrens of Meath ſtreet, ſilk weaver.
Thomas Kelly of Ballybough bridge, publican.
Henry Kearns of Winetavern ſtreet, grocer.
Thomas Kiernan of Church ſtreet, bricklayer.
Owen Kelly of Dirty lane, innkeeper.
Philp Lennan, carver and gilder.
Edward Lynam of Summer Hill, farmer and innkeeper.
James Lynch of Dublin.
John Lacy of Dublin, victualler.
George Lodge of Dublin, butcher.

James Leſlie of Dublin, breeches maker.
Bernard Larkin of Dunſink, carpenter.
Andrew Lodge of Dublin, butcher.
Richard Loughlan of Dublin, waiter.
Michael Landy of Ballrothery, brewer and diſtiller.
Robert Mothe, ſilk and worſted manufacturer.
Aaron Mickle of Dublin, clothier.
William Morris of Dublin, ſhoemaker.
Anne Maguire of Cope ſtreet, Dublin, ale draper.
Samuel Malcolm of Abbey ſtreet, grocer.
Nicholas M'Donagh of Dublin, ale draper.
Henry Moore of Dublin, vintner.
Patrick Mathews of Bridge ſtreet, ale draper.
Theobald Medlicott of Dublin, woollen draper.
Andrew M'Crohon of Dublin, vintner.
Daniel Mollen of Dublin, publican.
William M'Manus of Watling ſtreet, ſkinner.
James M'Nally of Newmarket, victualler.
Elinor M'Grath of Dublin, linen draper.
James Nowlan of Skinner's alley, Dublin, ſilk weaver.
Edward Nilan of Dorſet ſtreet, grocer.
Thomas Nangle of Dublin, linen draper.
Roſs Trevor O'Neil of Dublin, taylor.
Thomas O'Connor of Bridge ſtreet, meaſurer.
Richard Pope of Corke, merchant.
Thomas Piggott of Dublin, wine merchant.
Hans Parry of Dublin, wine cooper and grocer.
William Perry of Dirty lane, coachmaker.
Benjamin Parvin of Dublin.
Robert Parviſol of Dublin, hatter.
Dennis Quin of Nicholas ſtreet, vintner.
Frances Ranſford of Kildare, widow.
Leake Rogers of Dublin, hatter.
James Roche and Richard Netterville of Dublin, ſugar bakers.
Edward Roe of Mountrath ſtreet, publican.
Michael Reilly of Dublin, gentleman.
Joſeph Ravenſcroft of Dublin, perukemaker.
Thomas Smith of Dublin, painter.
Terence Sheridan of Dame ſtreet, vintner.
Martin Shea of Dublin, linen draper.
John Stack of Cork, cabinet maker.
John Sheridan of Dublin, vintner.
Edward Scooly of Dublin.
Owen Shiel of Dublin, tavern keeper.
Joſeph and Ephraim Thwaites of Dublin, brewers.
Robert Taylor of Dublin, ironmonger.
Joſeph Uſher of Dublin, merchant.
Marſden Warren of Dublin, merchant.
John Williams and William Sadler of Dublin, merchants.
William Warren of Swords, coachmaker and innholder.
James White of Ballynaſloe, diſtiller.

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CHAP. XLV.

Amended 17 & 18 G. 3. c. 11.

An act to prevent malicious cutting and wounding, and to punish offenders called chalkers.

The laws against malicious maiming and wounding ineffectual,

WHEREAS divers profligate and evil-disposed persons have of late with knives or other sharp weapons cut and stabbed many of his Majesty's subjects either with an intent to murder, rob, or maim, or merely with a wanton and wicked intent to disable or disfigure them: and whereas the laws now in force to prevent malicious maiming and wounding are found not to be effectual to deter such evil disposed persons from the aforesaid wicked and barbarous practices: for prevention therefore of the like mischiefs be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that if any person or persons on purpose and of malice forethought, and by lying in wait or watching, or waiting for the opportunity, after the twenty fourth day of June in the year of Lord one thousand seven hundred and seventy four with any knife or other sharp weapon shall cut or stab any person or persons in the face, or in any limb or member, or in any part of the body, with intent in so doing to murder, rob, or maim, or with an intent to disable or disfigure, him, her, or them, the person or persons so cutting or stabbing, his, her, and their counsellors, aiders, and abettors, knowing of and privy to the offence as aforesaid, shall be and are hereby declared to be felons, and shall suffer death as in cases of felony without the benefit of clergy.

if any on purpose, malice, and lying in wait, with knife or sharp weapon cut or stab any part of the body,

felony, death,

and aiders and abettors.

No corruption of blood, or forfeiture.

II. Provided, that no attainder of such felony shall extend to corrupt the blood, or forfeit the dower of the wife, or the lands, goods, or chattles of the offender or offenders.

4 years from 24 June next.

7 years, &c. from 24 June 1782 by 19 & 20 G. 3. c. 15. s. 1.

III. Provided also, that this act shall continue in force for four years from the twenty fourth day of June next.

CHAP.

A. D. 1773-4.

CHAP. XLVI.

An act for amending an act made the laſt ſeſſion of parliament, entitled, an act for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them; and for reſtraining ſuch, as ſhall be found able to ſupport themſelves by labour and induſtry, from begging.

WHEREAS the above mentioned act by the ſignal charity of ſeveral well diſpoſed perſons, and by the attention and care of the corporation created by the ſaid act for the county of the city of Dublin, has already in the ſaid city been happily carried into execution, as far as could be expected conſidering the ſhortneſs of the time, and the many impediments ariſing from the different juriſdictions in and about the ſaid city: in order to remove theſe impediments, and to render the execution of the ſaid act more eaſy and compleat, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy four all and every part of the ſeveral places in and about the city of Dublin within two miles of his Majeſty's caſtle of Dublin, whether belonging to liberties or to the county at large, ſhall be exempted from the juriſdiction of any other corporation created by the ſaid act, and be ſubject only to the corporation created by the ſaid act for the county of the city of Dublin, and that in as full and ample manner as any other part of the county of the city is now ſubject by the ſaid act. 11 & 12 G. 3. c. 30.

to remove impediments to execution of ſaid act by different juriſdictions,

all places within 2 miles of Dublin caſtle, whether in liberties or county at large, ſubject only to the corporation for the county of the city.

II. And whereas by this means a conſiderable part of the poor of the county of Dublin will be transferred to the juriſdiction and care of the corporation for the county of the city; and doubts have ariſen, whether the grand juries for the county of Dublin were enabled by the ſaid act to preſent and levy money for the ſupport of a houſe of induſtry in the ſaid county: be it enacted by the authority aforeſaid, that the grand jury of the county of Dublin in Eaſter term in every year be empowered and required to preſent ſuch ſum, and to be levied in the manner in the ſaid act is mentioned; and alſo that they be further impowered to hand over ſuch portion of the money, collected under any ſuch future preſentment, to the corporation for the county of the city, or their treaſurer, as ſhall be adjudged reaſonable

County g. jury every Eaſter to preſent as by ſaid act;

and hand over to city corporation or treaſurer in proportion to the poor from the county in the city houſe of induſtry.

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reaſonable, in proportion to the number of poor received from the county at large into the houſe of induſtry belonging to the county of the city of Dublin.

County corporation and magiſtrates may ſend beggars and vagrants to ſaid houſe, ſuch as the city corporation enabled to receive.

III. And be it enacted by the authority aforeſaid, that the corporation created by the ſaid act for the county of Dublin, and all the magiſtrates of the county of Dublin, be and are hereby impowered to ſend beggars and ſtrolling vagrants to the houſe of induſtry in the county of the city of Dublin, in ſuch number and on ſuch terms as the corporation for the county of the city of Dublin ſhall think themſelves enabled to receive, who are hereby impowered to receive them.

A member of city corporation may commit beggars till next board.

IV. And for the more effectual ſuppreſſion of vagrant beggars within the limits of the juriſdictions of the corporation for the county of the city of Dublin be it further enacted by the authority aforeſaid, that any member of the ſaid corporation may on view or information of a credible witneſs commit any perſon taken in the act of begging to the houſe of induſtry, there to be detained in the diviſion of the houſe allotted for the helpleſs poor, till his caſe ſhall be examined at the next general board, who may diſpoſe of ſuch perſon ſo committed according to the regulations of the ſaid act.

News cryers, ſhoecleaners, baſket carriers from market, in Dublin without licence from the poor corporation (granted without fee) committed as vagabond,

V. And whereas a number of young and able bodied perſons follow the ſeveral occupations of news crying, cleaning ſhoes, and carrying baſkets from the markets, and are in the intervals of ſuch employment expoſed to idleneſs and vice: and whereas ſuch perſons might be more uſefully engaged in labour, and ſuch employments might be executed by perſons partly diſabled, who muſt otherwiſe be taken into the houſe of induſtry: be it enacted by the authority aforeſaid, that any perſon following any of the ſaid occupations within the limits of the juriſdiction of the corporation for the poor in the county of the city of Dublin after the twenty-fourth day of June next without a licence from the ſaid corporation (ſuch licence to be granted without fee or reward) ſhall be deemed an idle perſon, and be liable to commitment as a vagabond.

And vender of ſmall wares,

unleſs with licence as hawker and pedlar.

VI. And whereas a number of perſons in order to evade the penalties of the ſaid act againſt vagrant beggars, and at the ſame time to excite compaſſion, and avoid betaking themſelves to uſeful labour, have recourſe to hawking about ſmall wares, whereby they cannot earn a ſubſiſtence: in order to prevent ſuch indirect begging be it enacted by the authority aforeſaid, that any member of the corporation for the poor of the county of the city of Dublin may commit any perſon offering ſuch ſmall wares to ſale

within

within the limits of the juriſdiction of the ſaid corporation, without a licence from the ſaid corporation (ſuch licence to be granted without fee or reward) and that ſuch perſon ſhall be deemed an idle perſon, and be liable to commitment as a vagabond, unleſs ſuch perſon be provided with a licence as a hawker and pedlar.

Corporations for poor ſhall apply to dioceſan for annual ſermon between 1ſt Jan. and May, for the charity,

VII. And whereas the manner of appointing preachers to recommend the charitable purpoſes of the ſaid recited act differs from the eccleſiaſtical order uſual in ſuch caſes: be it enacted by the authority aforeſaid, that the corporation for badging the poor in the ſeveral counties of cities and counties of towns in this kingdom ſhall by letter under their corporation ſeal, or by deputation from their body, apply to the archbiſhop, biſhop, or ordinary of their reſpective dioceſe, requeſting him to require ſermons to be preached for the ſupport of the ſaid charity by the miniſter of every pariſh, or ſome properly qualified perſon, to be provided by him, on ſuch one particular Sunday between the firſt day of January and firſt day of May in every year, as ſhall by the ſaid archbiſhop, biſhop, or ordinary, be judged moſt proper and convenient; and that upon ſuch requiſition the ſaid archbiſhop, biſhop, or ordinary, ſhall iſſue his mandate for this purpoſe to his clergy.

mandate thereon to the clergy.

Beggars apprehended and cloathed at corporation's expence, detained 'till reimburſed.

VIII. And whereas many of the vagrant beggars apprehended and compelled to go into the houſe of induſtry, purſuant to the power veſted in the corporation by the former act, were either deſtitute of cloaths, or covered with ſuch cloaths, as after being waſhed became of no uſe, and the corporation were therefore put to the expence of providing them with cloaths: be it enacted by the authority aforeſaid, that the corporation ſhall have power to detain in the ſaid houſe ſuch perſons, as ſhall hereafter be apprehended and cloathed at the expence of the corporation, until they ſhall by their labour have reimburſed the expence of purchaſing ſuch cloaths.

Lord mayor preſident at aſſembly,

IX. And whereas it is fit, that the lord mayor of the city of Dublin on account of his knowledge of the circumſtances and condition of the ſaid city, and his conſtant reſidence therein, and more eſpecially from the dignity of his office, do preſide at the meetings of the ſaid corporation: be it therefore enacted by the authority aforeſaid, that when a ſufficient quorum are aſſembled, he, if preſent, ſhall always take the chair, and do all the duties of a preſident or head of the corporation, as laid down in ſaid act; and in his abſence one of the repreſentatives of the ſaid city in parliament, or the ſenior juſtice, as directed by the

if abſent a city repreſentative or ſenior juſtice,

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the ſaid act; and in their abſence any other member of the corporation, whom a majority of the ſaid quorum ſhall appoint to take the chair.

or any member by majority of quorum.

X. And be it enacted by the authority aforeſaid, that the corporation, created for the county of Dublin, may, if they ſhall think fit, hold their ſeveral meetings at ſuch places, as to them ſhall ſeem convenient, out of the ſaid county; any clauſe in the ſaid act to the contrary notwithſtanding.

Dublin county corporation may meet out of the county.

Corporations may meet, adjourn, and act, as if they had met at time preſcribed.

XI. And whereas a doubt has ariſen, whether ſuch corporation, as have neglected to meet at the time preſcribed by the ſaid act, have now power to meet in order to carry into execution the purpoſes of the ſaid recited act: in order therefore to remove ſuch doubt be it enacted by the authority aforeſaid, that the ſaid ſeveral corporations are hereby impowered to meet at ſuch time or times, as they ſhall think proper, and to adjourn from time to time, and do all matters and things, which they are empowered to do by the ſaid act, in as full and ample a manner, as if they had met at the time preſcribed by the ſaid act.

A corporation erected for *Belfaſt*,

XII. And whereas the ſaid act for badging the poor in this kingdom extends only to the creating of corporations, for the purpoſes of the ſaid act, within counties at large, or in counties of cities, or counties of towns in this kingdom: and whereas the town of Belfaſt in the county of Antrim is a populous and wealthy town, and the ſaid town and pariſh thereof contains as many inhabitants as ſeveral of the cities or counties of towns in this kingdom, but, not being a county within itſelf, cannot have the benefit of the ſaid law in as ample and full a manner, as is found neceſſary: and whereas the inhabitants of the ſaid town and pariſh of Belfaſt have by voluntary ſubſcriptions and contribution raiſed a fund of money for the ſupport of the poor within the ſaid town and pariſh, and for the better anſwering that laudable intention have erected a poor houſe and infirmary for the reception of the ſaid poor and of ſick perſons on certain grounds adjoining to the ſaid town, which have been granted by the right honourable Arthur earl of Donegall to certain truſtees for the uſes aforeſaid; and the ſaid inhabitants are deſirous, that the ſaid hoſpital and infirmary, and the grounds whereon the ſame are built, ſo granted by the ſaid earl of Donegall to ſaid truſtees herein after named, and that a body corporate ſhould be formed, and to continue for ever, for the better carrying into execution under proper regulations the charitable and humane deſign of maintaining the poor of the ſaid town and pariſh: be it enacted by the authority

aforeſaid, that from and after the firſt day of June one thouſand ſeven hundred and ſeventy four the right honourable Arthur earl of Donegall, James Lewis, the ſovereign of the ſaid town of Belfaſt, and his ſucceſſors for the time being, Henry Skeffington and George Hamilton eſquires, repreſentatives in parliament for the ſaid town, and the repreſentatives in parliament for the ſaid town for the time being, the preſent vicar and church wardens of the ſaid pariſh, and their ſucceſſors for the time being, James Mackay, William Laird, and James Crumby, and ſuch perſons as ſhall contribute to ſuch charity as herein after mentioned, ſhall for ever hereafter be in name and fact one body corporate in law for the charitable purpoſes aforeſaid, and ſhall have perpetual ſucceſſion, and be called and diſtinguiſhed by the name of the preſident and aſſiſtants of the Belfaſt charitable ſociety; and that the ſaid Arthur earl of Donegall ſhall be preſident thereof during his life; and that they the ſaid preſident and his aſſiſtants ſhall be enabled to plead and ſue, and to be impleaded and ſued, by that name in all his Majeſty's courts of juſtice; and ſhall and may appoint a common ſeal and ſeals for the uſe of the ſaid corporation; and ſhall have power and authority to meet together, as often as there ſhall be occaſion; and the ſaid preſident and his aſſiſtants, and their ſucceſſors, or any five or more of them, being ſo aſſembled, ſhall have power to make ſuch reaſonable laws, rules, orders, and regulations for the better government and management of the ſaid infirmary and poor houſe, as they ſhall think neceſſary and convenient, and to revoke or alter the ſame at their diſcretion; and that it ſhall and may be lawful for the ſaid preſident and aſſiſtants to make ſuch and the like bye laws and regulations, and to exerciſe ſuch and the like powers, with reſpect to the poor and all idle and ſturdy beggars within the ſaid town and pariſh of Belfaſt, as the corporations created by virtue of the ſaid act within counties at large, and counties of towns and cities, are enabled to do.

named.

lord Donegal preſident for life,

5 may make and alter rules, &c.

like powers as to beggars as in county corporations by 11 & 12 G. 3. c. 30.

XIII. And be it enacted by the authority aforeſaid, that every perſon, who ſhall ſubſcribe and pay the ſum of one guinea to the ſaid corporation for the ſupport and maintenance of the ſaid poor, ſhall from thenceforth be and continue for the ſpace of one entire year a member thereof to all intents and purpoſes as fully and effectually, as any of the perſons herein before named.

1 guinea ſubſcribers members 1 year,

XIV. And be it enacted by the authority aforeſaid, that the ſaid corporation ſhall for the firſt time hold a meeting on the firſt

Meeting, & adjournment,

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first day of June next in the market houſe of the ſaid town of Belfaſt, and that it ſhall and may be lawful for them afterwards to meet at, and adjourn to, ſuch times and places within the ſaid town and pariſh, as they ſhall think fit; and in caſe the preſident ſhall not attend, that they ſhall and may have power to appoint ſuch other member of their corporation to preſide and act in his place and ſtead at ſuch meeting, as they may judge proper; and that they and their ſucceſſors ſhall and may upon the death, reſignation, or removal of their preſent preſident elect and chuſe ſuch member of their corporation to be preſident thereof, as they ſhall think fit.

preſident not attending, may appoint a member,

and elect on vacancy.

Grounds granted by lord Donegal veſted in ſaid corporation for the poor of *Belfaſt*,

XV. And be it further enacted by the authority aforeſaid, that all and every the grounds, which have been ſo granted by the ſaid Arthur earl of Donegall by the ſeveral deeds herein after mentioned to the truſtees therein named for the uſe of the ſaid poor houſe and infirmary, and the charitable deſign of erecting any buildings thereon, or for anſwering any uſeful purpoſe for the maintenance, relief, or accommodation of the poor of the ſaid town and pariſh of Belfaſt, that is to ſay, all that piece or parcel of ground, ſituate, lying, and being on the north ſide of the ſtreet commonly called Carrickfergus-Peterſhill, in the town of Belfaſt aforeſaid, containing in front next the ſaid ſtreet three hundred and ſixty two feet, or thereabouts, be the ſame more or leſs, and extending backwards in the weſt ſide thereof eleven hundred and fifty feet, or thereabouts, be the ſame more or leſs; and on the eaſt ſide thereof twelve hundred and ſix feet, be the ſame more or leſs; and in breadth at the rear, three hundred and twenty ſeven feet, be the ſame more or leſs, granted by the ſaid Arthur earl of Donegall by deeds of leaſe and releaſe, bearing date reſpectively the fifth and ſixth days of July one thouſand ſeven hundred and ſixty eight, to certain truſtees therein named, as the ſame is more particularly deſcribed by a map thereunto annexed; and alſo all that piece or parcel of ground, ſituate, lying, and being on the north ſide of the ſtreet, commonly called Carrickfergus-Peterſhill, in the ſaid town of Belfaſt, containing in front next to the ſaid ſtreet one hundred and forty feet of aſſize or thereabouts, be the ſame more or leſs, and extending backwards on the weſt ſide thereof eleven hundred and ninty ſeven feet, or thereabouts, be the ſame more or leſs; and on the eaſt ſide thereof twelve hundred and nine feet, or thereabouts, be the ſame more or leſs, and in breadth at the rear one hundred and eighty feet, or thereabouts, be the ſame more or leſs, granted by the ſaid

earl

earl of Donegall to Henry Joy by deeds of leaſe and releaſe, bearing date reſpectively the twenty firſt and twenty ſecond days of March one thouſand ſeven hundred and ſeventy one, as the ſame is more particularly deſcribed by a map thereunto annexed; and alſo all that piece or parcel of ground ſituate on the north ſide of Carrickferguſs-Peterſtuill in the ſaid town of Belfaſt, containing in front one hundred and forty feet, or thereabouts, and extending backwards one hundred and ſixty feet, granted by the ſaid Arthur earl of Donegall to James Lewis by indenture of leaſe bearing date the twenty ſixth day of April one thouſand ſeven hundred and ſeventy one, as the ſame is more particularly deſcribed by a map thereunto annexed, and alſo all that piece or parcel of ground containing two acres plantation meaſure, be the ſame more or leſs, granted by the ſaid earl of Donegall to the ſaid James Lewis by leaſe bearing date the twenty ſixth day of April one thouſand ſeven hundred and ſeventy one, as the ſame is patticularly deſcribed by a map thereunto annexed, ſhall from and after the firſt day of June next be veſted in the ſaid preſident and aſſiſtants of the charitable ſociety of Belfaſt, and their ſucceſſors, for and according to the ſeveral eſtates and intereſts granted by the ſaid ſeveral deeds; ſubject however to the ſeveral rents, reſervations, conditions, clauſes, and covenants therein contained on the part of the ſaid grantees and leſſees, their heirs, executors, adminiſtrators, and aſſigns, to be paid, done, and performed; and alſo that all and every ſuch ſum and ſums of money, as have been ſubſcribed, paid, and laid out on ſecurities for the purpoſe aforeſaid, and all the ſecurities, given, taken, and obtained for the ſame, ſhall from and after the ſaid firſt day of June be veſted in the ſaid preſident and aſſiſtants, and their ſucceſſors; and they ſhall and may be enabled to ſue for and recover the ſame to and for the pious and charitable uſes and purpoſes of maintaining and ſupporting the poor of the ſaid town and pariſh of Belfaſt before mentioned.

ſubject to covenants in the deeds,

may ſue for money on ſecurities.

XVI. And be it further enacted by the authority aforeſaid, that the ſaid preſident and aſſiſtants ſhall and may without licence in mortmain purchaſe, take, or receive any manors, lands, tenements, annuities, or hereditaments, in poſſeſſion, reverſion, or contingency, not exceeding the value of one thouſand pounds a year in the whole, of the alienation, gift, or deviſe of any perſon or perſons having a right, and not being otherwiſe diſabled, to alien, grant, or deviſe the ſame; which perſon or perſons, not otherwiſe diſabled, is and are hereby enabled to

May without licence in mortmain purchaſe 1000l. a year,

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transfer and grant the ſame accordingly, or any goods, chattles, and perſonal eſtate whatſoever, as well for the enlarging the ſaid infirmary and poor houſe, as taking any other houſe or piece of ground in or near ſaid town of Belfaſt, which the majority of the ſaid corporation ſhould think moſt convenient, for the relief, ſupport, and maintenance of the maimed, ſick, and infirm perſons, who are to receive the benefit of the ſaid infirmary and poor houſe.

any perſonal eſtate, take any other houſe or ground in or near *Belfaſt*.

May recover legacies and gifts in truſt.

XVII. And be it further enacted by the authority aforeſaid, that the ſaid preſident and aſſiſtants for the ſaid infirmary and poor houſe, and their ſucceſſors, ſhall have power and authority to recover all legacies, gifts, and bequeſts, made to any perſon or perſons whatſoever in truſt for the ſaid infirmary and poor houſe, or for any of the charitable purpoſes of the ſame.

May by indenture demiſe not above 31 years, in poſſeſſion reſerving rent as from ſolvent tenant,

XVIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid preſident and aſſiſtants for the ſaid infirmary and poor houſe from time to time by indenture under their common ſeal to demiſe or leaſe any lands, tenements, or hereditaments, veſted or to be veſted in them in purſuance of this act, or any part or parcel thereof, for any term or number of years, not exceeding the term of thirty one years; ſo as upon every ſuch demiſe or leaſe there be reſerved and made payable half yearly to the ſaid preſident and aſſiſtants for the ſaid infirmary and poor houſe, and their ſucceſſors, during the ſaid term, as much rent as at the time of making ſuch leaſe can be really had for the ſame from a ſolvent tenant, and ſo as no fine, or income, or other conſideration be taken for the ſame, other than the ſaid rents to be reſerved to the ſaid preſident and aſſiſtants, and their ſucceſſors; and ſo as every ſuch demiſe or leaſe be made in poſſeſſion, and not in reverſion.

no fine or other conſideration.

May elect *Richard Burke* ſurgeon,

XIX. And whereas Mr. Richard Burke, ſurgeon, hath practiſed for many years in the county of Clare with great credit to himſelf, and benefit to that county, and hath been lately approved of as a proper perſon to be elected ſurgeon to the infirmary of the ſaid county by the unanimous voice of the governors and governeſſes of the ſaid infirmary; but the ſaid Richard Burke, on account of his having ſtudied principally in foreign countries, is now diſabled from making ſtrict proof of his having regularly ſerved an apprenticeſhip to the ſaid profeſſion: be it enacted by the authority aforeſaid, that the governors and governeſſes of the ſaid infirmary may elect, if they ſhall think fit ſo to do, the ſaid Richard Burke as ſurgeon to the ſaid county

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ty infirmary, he producing a certificate from the ſurgeon general in this kingdom, and of two other able ſurgeons, to be appointed by the ſaid ſurgeon general, of his the ſaid Richard Burke's ability and ſkill in ſurgery, if the ſaid governors and governeſſes of the ſaid infirmary ſhall require the ſame; any thing in the ſaid act contained to the contrary notwithſtanding.

on certificate of ſurgeon general and 2 by him appointed.

XX. Provided always, that the ſaid Richard Burke, if ſo elected, ſhall and may be removeable from the ſaid office, in manner as is preſcribed by the ſaid act.

Removeable as by ſaid act.

XXI. And whereas the ſaid recited act has not been yet carried into execution in the counties of Wexford and Armagh, county of Wicklow, and King's county in this kingdom, in which counties great inconveniencies have ariſen on account of the repeal of two acts of parliament, one made in this kingdom the thirty third of the late king Henry the eighth, intitled, *an act for vagabonds*, and another act made in this kingdom in the eleventh year of King Charles the firſt, intitled, *An act for erecting houſes of correction, and for the puniſhing of rogues, vagabonds, and ſturdy beggars, and other lewd and idle perſons:* be it enacted by the authority aforeſaid, that the ſaid two laſt mentioned acts of parliament, and every thing therein contained, ſhall be in full force in the counties of Wexford, Armagh, Wicklow, and King's county, in which the ſaid act, intitled, *An act for badging ſuch poor as ſhall be found not able to ſupport themſelves by labour, and otherwiſe providing for them, and for reſtraining ſuch as ſhall be found able to ſupport themſelves by labour or induſtry from begging*, has not been carried into execution; any thing in the ſaid laſt mentioned act to the contrary notwithſtanding.

33 *H.* 8. c. 15. & 10 & 11 *C.* 1. c. 4. repealed by 11 & 12 *G.* 3. c. 30. ſhall be in full force in *Wexford, Armagh, Wicklow*, and *King*'s county, where ſaid act not carried into execution.

CHAP. XLVII.

An act for the better regulation of the baking trade in the city of Dublin.

Amended 15 & 16 *G.* 3. *c.* 22. & 17 & 18 *G.* 3. *c.* 17.

WHEREAS it is highly neceſſary to regulate the manufacture of bread in the city of Dublin, and to prevent the many frauds and unfair practices made uſe of in carrying on ſaid buſineſs, by which bread is rendered unwholeſome, and the price enhanced, to the great oppreſſion of the poor: for remedy whereof be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt

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Auguſt one thouſand ſeven hundred and ſeventy four no perſon ſhall make or bake for ſale, or ſell or expoſe to ſale, any bread within the city of Dublin, or the liberties thereof, or within the liberties of ſaint Sepulchre's, Thomas court, and Donore, unleſs ſuch perſon ſhall firſt regiſter his or her name and place of abode in ſome book, to be kept for that purpoſe by the lord mayor of the city of Dublin, and the ſeneſchals of the ſaid liberties of ſaint Sepulchre's, Thomas court, and Donore reſpectively, within their reſpective juriſdictions, in which entries reſpectively ſhall be alſo expreſſed the reſpective times of making ſuch entries.

none to bake for or expoſe to ſale bread in *Dublin* or liberties, 'till name and abode regiſtered by lord mayor & ſeneſchals and time of entry.

II. And be it enacted by the authority aforeſaid, that no perſon ſhall be regiſtered in the manner herein before directed, unleſs he or ſhe ſhall ſwear, or, being of the people called quakers, affirm, in the following manner, that is to ſay,

Oath previous to regiſtry.

I A. B. *do ſwear or ſolemnly affirm as the caſe ſhall require, that I will not enter into any unlawful combination whatſoever to raiſe the price of bread, or of corn, meal, or flour, or into any unlawful combination not to bake; and that I will not knowingly make, bake, or ſell, or permit to be made, baked, or ſold, for my uſe, any bread, in which any other ingredient or mixture ſhall be put, ſave only the genuine flour or meal of the grain, and ſalt, water, and barm, or yeaſt, or eggs, or milk.*

Which oath the lord mayor of the city of Dublin, and the ſaid ſeneſchals for the time being reſpectively, are impowered and required to adminiſter within their reſpective juriſdictions.

Penalty 5l.

III. And be it enacted by the authority aforeſaid, that if any perſon do or ſhall from and after the time aforeſaid make or bake for ſale, or ſell, or expoſe to ſale, any bread within the city of Dublin, or the liberties thereof, or within the liberties of ſaint Sepulchre's, Thomas court and Donore, without having been regiſtered, and having taken the oath, or made the affirmation, as herein before is directed, he, ſhe, or they, ſo offending therein, and being thereof convicted in manner herein after mentioned, ſhall for every ſuch offence forfeit the ſum of five pounds; to be recovered and applied in the manner herein after directed.

Weight of wheaten and white loaves for ſale.

IV. And be it enacted by the authority aforeſaid, that no perſon or perſons ſhall from and after the time aforeſaid make or bake, for ſale, or ſell, or expoſe to ſale, within the ſaid city of Dublin or the liberties thereof, or within the liberties of ſaint Sepulchre's, Thomas court and Donore, any loaf or loaves of wheaten

wheaten or white bread, ſave of the reſpective averdupoiſe weights herein after mentioned, that is to ſay, loaves of wheaten bread to weigh reſpectively at the leaſt eight pounds, ſix pounds, four pounds, and one pound; and loaves of white bread to weigh reſpectively at the leaſt ſix pounds, four pounds, two pounds, and one pound.

If deficient, penalties as by 1 *G.* 2. c. 16.

V. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall from and after the time aforeſaid make, or bake for ſale, or ſell, or expoſe to ſale, within the city of Dublin, or the liberties thereof, or within the liberties of ſaint Sepulchre's, Thomas court, and Donore, any loaf or loaves of wheaten or white bread, deficient in the weights herein before reſpectively ſet for the ſame, he, ſhe, or they, ſo offending in the premiſſes, and being thereof convicted, ſhall forfeit the penalties inflicted by an act of the firſt of George the ſecond, intitled, *An act for regulating the price and aſſize of bread and the markets* in the caſe of bread deficient in weight.

Baker's name & weight marked on every loaf,

VI. And be it enacted by the authority aforeſaid, that every perſon or perſons, who ſhall from and after the time aforeſaid make, or bake for ſale, or ſell or expoſe to ſale, within the ſaid city of Dublin, or the liberties thereof, or within the liberties of ſaint Sepulchre's, Thomas court, and Donore, any ſort of wheaten or white bread, ſhall from time to time cauſe to be fairly imprinted or marked on every loaf of ſuch bread the name of the baker of ſuch bread, and alſo the number of pounds ſuch loaf ſhall weigh; and that every perſon, who ſhall ſo make or bake for ſale, or ſhall ſell or expoſe to ſale, any loaf or loaves of wheaten or white bread, which ſhall not be ſo marked as aforeſaid, ſhall upon conviction thereof, according to the methods preſcribed by an act paſſed in this kingdom in the firſt year of George the ſecond, entitled, *An act for regulating the price and aſſize of bread and the markets*, be puniſhed in ſuch manner, and under ſuch penalties, regulations, and allowances, as are ſet forth in ſaid act, in caſes where bread is deficient in weight.

or like penalties.

If real name of baker not marked, 20s.

VII. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall after the time aforeſaid make or bake for ſale, or ſell or expoſe to ſale, within the city of Dublin, or the liberties thereof, or within the liberties of ſaint Sepulchre's, Thomas court, and Donore, any loaf of ſuch wheaten or white bread, on which the real name of the perſon, who baked ſuch loaf or loaves, ſhall not be marked as aforeſaid, he, ſhe, or they ſo offending in the premiſſes, and being thereof convicted in the manner herein mentioned, ſhall forfeit for every ſuch offence

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offence the ſum of twenty ſhillings; to be recovered and applied as herein is mentioned.

If not marked, ſeized by day by perſon authorized, carried before lord mayor or ſeneſchals, forfeited,

VIII. And be it enacted by the authority aforeſaid, that from and after the time aforeſaid it ſhall and may be lawful for any perſon, lawfully authorized to do the ſame, in the day time to ſeize and take every loaf of wheaten or white bread, which ſhall at any time or times be found not marked, as herein before directed, and to carry the ſame before the lord mayor, in caſe the ſame be found within the city of Dublin or the liberties thereof, or before the ſeneſchals of ſaint Sepulchre's, Thomas-court, and Donore, or the liberties thereof reſpectively, in caſe the ſame be found in their reſpective juriſdictions; and if the magiſtrate, before whom any ſuch bread is brought, ſhall find ſuch bread not marked according to the directions herein before mentioned, then and in every ſuch caſe all ſuch bread, not ſo marked, ſhall be forfeited; and the ſame ſhall be given away to the perſon ſeizing and informing, or to and amongſt the poor of the pariſh or place, in which the ſame ſhall have been ſo ſeized, or in ſuch other manner as the magiſtrate, who ſhall adjudge the ſame to be forfeited, ſhall direct.

to informer or the poor.

Magiſtrates may by day enter places for ſale,

IX. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid magiſtrates within their reſpective juriſdictions at all times hereafter in the day time to enter into any houſe, outhouſe, ſhop, or other place belonging to any perſon who ſhall make, or bake for ſale, or who ſhall ſell any bread, and there to ſearch and examine into the ingredients, which they ſhall find any ſuch perſon uſing in making bread, or which he hath uſed in making bread, and to view, weigh, and try all bread, which ſhall on any ſuch ſearch be found; and if on ſuch ſearch, any dough or bread ſhall be found, in which any ſuch ingredients, not herein allowed to be uſed, ſhall be made uſe of, then and in every ſuch caſe it ſhall and may be lawful to and for ſuch magiſtrates reſpectively to ſeize ſuch ingredients, dough, and bread, and to diſpoſe of the ſame in ſuch manner, as they ſhall think fit, and alſo to commit the perſon or perſons, in whoſe cuſtody they ſhall find ſuch ingredients, dough, or bread, to the common gaol, there to remain without bail or mainprize ſuch number of days, not exceeding twenty days, as ſuch magiſtrates reſpectively ſhall according to their diſcretion think fit to order and direct.

examine ingredients and bread,

and ſeize and diſpoſe thereof, if not allowed,

impriſon perſon, in whoſe cuſtody, not above 20 days.

Obſtructing ſearch 5l.

X. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall wilfully oppoſe, reſiſt, hinder, or obſtruct any ſuch ſearch as aforeſaid, he, ſhe, or they ſo offending therein,

and

and being thereof convicted in manner herein mentioned, ſhall for every ſuch offence forfeit the ſum of five pounds; to be recovered and applied in manner as is herein directed.

Market clerks to return weekly on oath the wheat, flour, and meal of wheat, ſold each market day, the prices, and ſorts of flour.

XI. And be it enacted by the authority aforeſaid, that from and after the time aforeſaid, the clerk of the reſpective markets, or ſuch other perſon as ſhall be authorized or appointed for the purpoſe within the city of Dublin and the liberties thereof, and the liberties of ſaint Sepulchre's, Thomas court, and Donore, ſhall weekly return and certify upon oath to the lord mayor of the city of Dublin, and the ſaid ſeneſchals reſpectively, the quantity of wheat, and of flour, and meal of wheat, which ſhall be ſold each market day in the ſaid reſpective markets, and the reſpective prices for which the ſame ſhall be ſo ſold; in which certificate ſhall be expreſſed the different ſorts of flour, whether firſts, ſeconds, or thirds, and the prices for which the ſame ſhall be reſpectively ſold; and that the ſaid lord mayor of the city of Dublin, and the ſaid ſeneſchals reſpectively, ſhall from time to time cauſe entries to be made of ſuch returns in books to be by them reſpectively kept for the purpoſe; and to which all perſons at reaſonable hours may have recourſe without paying any fee or reward for the ſame.

returns entered,

reſorted to without fee.

Neglect, or falſe return; 5l.

XII. And be it enacted by the authority aforeſaid, that if any clerk of the ſaid markets, or other perſon who ſhall be legally authorized to make ſuch certificates and returns, ſhall wilfully neglect or omit to make ſuch returns and certificates, or ſhall knowingly make any falſe return or certificate, every perſon ſo offending ſhall upon conviction thereof upon oath before the ſaid magiſtrates reſpectively within their reſpective juriſdictions forfeit and pay for every ſuch offence any ſum not exceeding the ſum of five pounds, as ſuch magiſtrate, before whom ſuch offender or offenders ſhall be convicted, ſhall think fit to order; which forfeiture ſhall be applied in manner herein directed.

Dublin collector to return import weekly.

XIII. And be it enacted by the authority aforeſaid, that from and after the time aforeſaid the collector of the port of Dublin ſhall return every week to the lord mayor of the city of Dublin an account of the quantity of wheat, flour, and meal of wheat, imported each week into the port of Dublin, with the names of the reſpective perſons importing the ſame.

And by merchants & factors the quantity imported or ſent to and ſold by them,

XIV. And be it enacted by the authority aforeſaid, that from and after the time aforeſaid every merchant, factor, or other perſon or perſons who ſhall import any wheat, flour, or meal of wheat, into the port of Dublin, or to whom any meal or flour ſhall be conſigned or ſent from any part of this kingdom, ſhall return

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return weekly to the lord mayor of the city of Dublin upon oath, or affirmation if quakers, which oath or affirmation the ſaid lord mayor is hereby impowered and required to adminiſter, an account in writing of the reſpective quantities of wheat, meal, and flour of wheat by them imported, or ſent to them from any part of this kingdom in each week; and alſo an account of the quantity of wheat, meal, and flour of wheat, diſtinguiſhing the different ſpecies of flour by them ſold reſpectively during ſuch week, and at what prices reſpectively; to which returns the reſpective merchants, factors, or other perſons making the ſame, ſhall ſign their reſpective names, and the time of making the ſame; and in caſe the ſaid lord mayor ſhall ſuſpect the truth of ſuch returns, it ſhall and may be lawful to and for the ſaid lord mayor to ſummon ſuch merchant, factor, or other perſon or perſons to attend before him, and to examine him or them touching the truth of ſuch return upon oath, or being of the people called quakers upon affirmation, which oath or affirmation the ſaid lord mayor is hereby impowered to adminiſter; and in caſe any ſuch merchant, factor, or other perſon or perſons ſhall make a falſe return, or ſhall refuſe or wilfully neglect to make ſuch return, or ſhall hinder or obſtruct the ſaid lord mayor in making ſuch ſearch, he, ſhe, or they ſo offending therein, and being thereof convicted in manner herein mentioned, ſhall forfeit for every ſuch offence the ſum of five pounds; to be recovered and applied as herein mentioned.

on oath,

diſtinguiſhing ſpecies of flour and prices,

lord mayor may ſummon and examine to truth of returns,

falſe return, neglect, or obſtruction 5l.

Weekly entries of returns and middle price, reſpecting ſale in markets and by importer or conſignee.

XV. And be it enacted by the authority aforeſaid, that the ſaid lord mayor ſhall cauſe entries of all ſuch returns, and alſo of the middle price of wheat, having reſpect not only to the price of all wheat, meal, and flour of wheat, ſold in the ſaid markets, but alſo of all wheat, meal, and flour of wheat ſold by the merchant, factor, or other perſon importing the ſame, or to whom the ſame ſhall be ſent from any part of this kingdom, to be made weekly, in books to be kept at the tholſel or market houſe for that purpoſe, and to which all perſons at ſeaſonable hours may have recourſe without paying any fee or reward for the ſame.

Aſſize of houſehold by table annexed, reſpecting middle price of wheat and flour,

baker's allowance not under 11s. per quarter.

XVI. And be it enacted by the authority aforeſaid, that the ſaid lord mayor and ſeneſchals ſhall from time to time aſcertain within their reſpective juriſdictions the aſſize and weight of houſhold bread according to the table of aſſize hereunto annexed, having reſpect to the middle price of wheat, and middle price of flour, and to make ſuch allowance to the baker as they ſhall think fit, not leſs than the ſum of eleven ſhillings for each quarter.

XVII. And be it enacted by the authority aforeſaid, that when any aſſize ſhall be ſtruck by the ſaid lord mayor and ſeneſchals within their reſpective juriſdictions purſuant to the directions of this act, and ſhall be publiſhed, as is directed by an act made in the firſt year of his late Majeſty's reign, intitled, *An act for regulating the price and aſſize of bread and the markets*, every baker or ſeller of bread, who ſhall act contrary to the orders for ſuch aſſize ſo ſtruck and publiſhed as aforeſaid, ſhall upon conviction thereof, in the manner in the ſaid act mentioned, be ſubject to the like penalties; to be recovered and applied in the ſame manner, as are inflicted by the ſaid act upon perſons baking or ſelling of bread contrary to the directions of the ſaid act.

Bakers acting contrary to aſſize publiſhed as by 1 *G.* 2. c. 16. ſubject to penalties therein.

XVIII. And be it enacted by the authority aforeſaid, that in caſe the lord mayor and ſeneſchals reſpectively in ſtriking ſuch aſſize ſhall find, that it will raiſe the price of bread to take flour into the aſſize, then and in ſuch caſe they ſhall reſpectively ſtrike the aſſize upon the middle price of wheat only: but if they ſhall find, that the price of bread will be leſſened by taking flour into the aſſize, then and in ſuch caſe the aſſize ſhall be ſtruck according to the middle price both of wheat and the medium price of all kinds of flour brought to the market taken together, and twenty eight ſtone and a half of ſuch flour ſhall be deemed equal to a quarter of wheat.

If bread raiſed by taking flour into aſſize, ſtruck on middle price of wheat only, if leſſened, on both, *amended* 19 & 20 *G.* 3. c. 21.

28 ſtone & half of flour a quarter of wheat.

XIX. And be it enacted by the authority aforeſaid, that the ſeveral laws now in force relative to the aſſize of bread, ſo far only as the ſame are inconſiſtent with this preſent act, be repealed; and that in caſe any perſon ſhall be ſued or otherwiſe impeached for any thing done in execution of this act, the defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict ſhall paſs for the defendant, or the plaintiff be non-ſuited, or judgment ſhall paſs for the defendant in ſuch ſuit, ſuch defendant ſhall recover treble coſts.

Laws as to aſſize repealed only ſo far as inconſiſtent with this act, defendant may plead general iſſue, &c.

and have treble coſt.

XX. And be it enacted by the authority aforeſaid, that the ſeveral penalties and forfeitures herein before mentioned, except in ſuch caſes as it is herein before otherwiſe provided, ſhall be recovered upon conviction by the confeſſion of the party, or by the oath, or (if the perſon be of the people called quakers) by the affirmation, of one or more credible witneſs or witneſſes, before the ſaid lord mayor, or the ſaid ſeneſchals within their reſpective juriſdictions, to be levied by way of diſtreſs upon the goods and chattles of every ſuch offender by warrant from the ſaid lord mayor or ſeneſchals reſpectively, before whom ſuch conviction ſhall be, returning the overplus; the ſaid forfeitures

Penalties ſave otherwiſe provided recovered before lord mayor or ſeneſchals on oath of 1 witneſs. by diſtreſs on warrant

to the poor,

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to be diſtributed amongſt the poor, in ſuch maner as the ſaid lord mayor or ſeneſchals reſpectively ſhall direct.

Proſecution in 3 months

XXI. Provided always that no perſon ſhall be proſecuted for any offence committed againſt this act, unleſs ſuch proſecution be commenced within three calendar months after ſuch offence committed.

French rolls as uſual,

XXII. Provided alſo, that nothing herein contained ſhall be conſtrued to prohibit the baking or ſelling of French rolls, in ſuch manner as has been accuſtomed.

no fine on deficiency of a loaf on oath of equal weight with the reſt when put in,

XXIII. Provided always, that if any loaf, after it has come out of the oven, ſhall not be of the proper weight, and it ſhall appear by the oath or oaths of any journeyman, or other credible witneſs or witneſſes, before the lord mayor of the ſaid city for the time being, the chief magiſtrate or magiſtrates, juſtice or juſtices of the peace, and ſaid ſeneſchals, within their reſpective liberties, that ſuch loaf was, at the time the ſame was put into the oven, of equal weight with any other loaf of the ſame kind of bread baked at the ſame time and in the ſame oven, and which ſhall appear to have the due and proper weight, which ſuch loaf ought to have, there ſhall be no fine paid for the deficiency of ſuch loaf, in caſe the ſame ſhall be good bread in every other reſpect; but the ſame ſhall and may be forfeited at the diſcretion of the lord mayor, or chief magiſtrate or magiſtrates, juſtice or juſtices of the peace, and ſaid ſeneſchals, within their reſpective liberties.

forfeited at diſcretion.

1 G. 2. c. 16. & 29. G. 2. c. 11. as to price and ſize of bread, and markets, ſo far as not altered, and this act, continued from 1ſt Auguſt 1774, 2 years, &c., *2 years from 24 June 1778 &c. by* 17 & 18 *G. 3. c. 17. and 2 years, &c. by* 19 & 20 *G. 3. c. 15. ſ. 2. and 2 years from 24 June 1780, &c. by* 19 & 20 *G. 3. c. 21. ſ. 3.*

XXIV. And be it enacted by the authority aforeſaid, that the ſaid recited act, ſo far as the ſame is not hereby altered, and alſo one other act made in the twenty ninth year of the reign of his late Majeſty, intitled, *An act for reviving and amending the ſeveral acts therein mentioned*, ſo far as the ſaid acts relate to the regulating the price and the ſize of bread, and the better regulating the markets, except ſuch parts thereof as are not hereby altered, and alſo this preſent act, ſhall be and continue in full force from the ſaid firſt day of Auguſt one thouſand ſeven hundred and ſeventy four for two years, and from thence to the end of the then next ſeſſion of parliament, and no longer.

A TABLE

A

TABLE

Altered 17 & 18 *G.* 3. *c.* 17.

Of the ASSIZE of BREAD,

In Pounds, Ounces, and Drachms, Averdupoiſe Weight.

Note. The Ounce is divided into Eight Drachms.

Price of the Quarter of Wheat.	HOUSEHOLD LOAF.			
	Penny.	4 Penny.	6 Penny.	12 Penny.
l. s. d.	lb. oz. drs.	lb. oz. drs.	lb. oz. drs.	lb. oz. drs.
1 0 0	2 5 1	9 4 2	13 14 4	27 13 0
1 0 6	2 4 1	9 0 6	13 9 0	27 2 0
1 1 0	2 3 2	8 13 2	13 3 7	26 7 6
1 1 6	2 2 4	8 10 0	12 15 0	25 14 0
1 2 0	2 1 6	8 6 6	12 10 2	25 4 4
1 2 6	2 1 0	8 3 2	12 5 6	24 11 4
1 3 0	2 0 2	8 1 0	12 1 4	24 3 0
1 3 6	1 15 4	7 14 2	11 13 13	23 10 6
1 4 0	1 14 7	7 11 4	11 9 3	23 2 6
1 4 6	1 14 2	7 9 2	11 5 5	22 11 2
1 5 0	1 13 5	7 6 6	11 2 0	22 4 0
1 5 6	1 13 1	7 4 2	10 14 4	21 13 0
1 6 0	1 12 4	7 2 0	10 11 0	21 6 0
1 6 6	1 12 0	7 0 0	10 7 0	20 14 0
1 7 0	1 11 4	6 13 6	10 4 6	20 9 4
1 7 6	1 11 0	6 11 6	10 1 6	20 3 4
1 8 0	1 10 4	6 10 0	9 14 7	19 13 6
1 8 6	1 10 0	6 8 0	9 12 1	19 8 2
1 9 0	1 9 5	6 6 2	9 9 4	19 3 0
1 9 6	1 9 1	6 4 4	9 6 7	18 13 6
1 10 0	1 8 6	6 2 6	9 4 3	18 8 6
1 10 6	1 8 2	6 1 2	9 1 7	18 3 6
1 11 0	1 7 7	5 15 6	8 15 4	17 15 0
1 11 6	1 7 4	5 14 2	8 13 2	17 10 4
1 12 0	1 7 1	5 12 6	8 11 0	17 6 0
1 12 6	1 6 7	5 11 2	8 8 7	17 1 6
1 13 0	1 6 4	5 9 6	8 6 6	16 3 4
1 13 6	1 6 1	5 8 4	8 4 6	16 9 4

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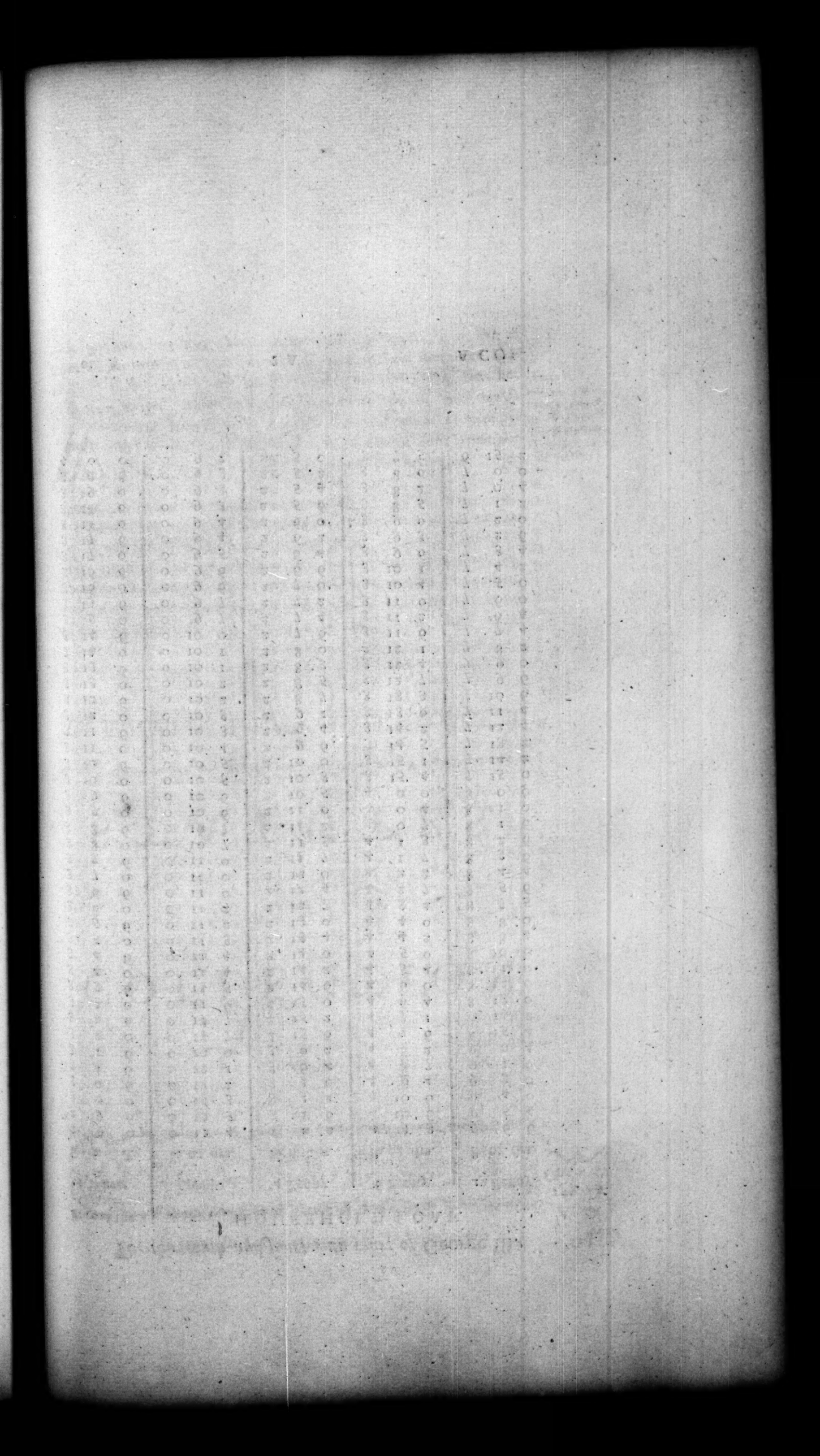
Price of the Quarter of Wheat.			HOUSEHOLD LOAF.																					
			Penny.			4 Penny.			6 Penny.			12 Penny.												
l.	s.	d.	lb.	oz.	drs.	lb.	oz.	drs.	lb.	oz.	drs.	lb.	oz.	drs.										
1	14	0	1	5	6	5	7	2	8	2	7	16	5	6										
1	14	6	1	5	4	5	6	0	8	1	0	16	2	0										
1	15	0	1	5	1	5	4	6	7	15	1	15	14	2										
1	15	6	1	4	7	5	3	4	7	13	3	15	10	6										
1	16	0	1	4	5	5	2	4	7	11	5	15	7	2										
1	16	6	1	4	2	5	1	2	7	9	7	15	3	6										
1	17	0	1	4	0	5	0	2	7	8	2	15	0	4										
1	17	6	1	3	6	4	15	0	7	6	5	14	13	2										
1	18	0	1	3	4	4	14	0	7	5	1	14	10	2										
1	18	6	1	3	2	4	13	0	7	3	4	14	7	0										
1	19	0	1	3	0	4	12	0	7	2	1	14	4	2										
1	19	6	1	2	6	4	11	0	7	0	5	14	1	2										
2	0	0	1	2	4	4	10	0	6	15	2	13	14	4										
2	0	6	1	2	2	4	9	2	6	13	7	13	11	6										
2	1	0	1	2	0	4	8	2	6	12	4	13	9	0										
2	1	6	1	1	7	4	7	4	6	11	2	13	6	4										
2	2	0	1	1	5	4	6	4	6	10	0	13	4	0										
2	2	6	1	1	4	4	5	6	6	8	6	13	1	4										
2	3	0	1	1	2	4	5	0	6	7	4	12	15	0										
2	3	6	1	1	0	4	4	2	6	6	2	12	12	4										
2	4	0	1	0	6	4	3	2	6	5	1	12	10	2										
2	4	6	1	0	5	4	2	4	6	4	0	12	8	0										
2	5	0	1	0	4	4	1	6	6	2	7	12	5	6										
2	5	6	1	0	2	4	1	2	6	1	6	12	3	4										
2	6	0	1	0	1	4	0	4	6	0	6	12	1	4										
2	6	6	0	15	7	3	15	6	5	15	5	11	15	4										
2	7	0	0	15	6	3	15	0	5	14	4	11	13	0										
2	7	6	0	15	5	3	14	4	5	13	5	11	11	2										
2	8	0	0	15	3	3	13	6	5	12	6	11	9	2										
2	8	6	0	15	2	3	13	0	5	11	6	11	7	4										
2	9	0	0	15	1	3	12	4	5	10	6	11	5	4										
2	9	6	0	15	0	3	12	0	5	9	7	11	3	6										
2	10	0	0	14	6	3	11	2	5	9	0	11	2	0										
2	10	6	0	14	5	3	10	6	5	8	1	11	0	2										
2	11	0	0	14	4	3	10	0	5	7	2	10	14	4										
2	11	6	0	14	3	3	9	4	5	6	3	10	12	6										
2	12	0	0	14	2	3	9	0	5	5	4	10	11	0										
2	12	6	0	14	1	3	8	4	5	4	6	10	9	4										
2	13	0	0	14	0	3	8	0	5	4	0	10	8	0										
2	13	6	0	13	7	3	7	4	5	3	1	10	6	2										
2	14	0	0	13	6	3	7	0	5	2	3	10	4	6										
2	14	6	0	13	4	3	6	2	5	1	5	10	3	2										
2	15	0	0	13	3	3	5	6	5	0	7	10	1	6										
2	15	6	0	13	3	3	5	4	5	0	1	10	0	2										
2	16	0	0	13	2	3	5	0	4	15	4	9	15	•										
2	16	6	0	13	1	3	4	4	4	14	6	9	13	4										
2	17	0	0	13	0	3	4	0	4	14	0	9	12	0										
2	17	6	0	12	7	3	3	4	4	13	3	9	10	6										
2	18	0	0	12	6	3	3	0	4	12	6	9	9	4										
2	18	6	0	12	5	3	2	4	4	12	0	9	8	0										

HOUSEHOLD LOAF.

Price of the Quarter of Wheat.			Penny.			4 Penny.			6 Penny.			12 Penny.		
l.	s.	d.	lb.	oz.	drs.	lb.	oz.	drs.	lb.	oz.	drs.	lb.	oz.	drs.
2	19	0	0	12	4	3	2	2	4	11	3	9	6	6
2	19	6	0	12	3	3	1	6	4	10	6	9	5	4
3	0	0	0	12	3	3	1	2	4	10	0	9	4	0
3	0	6	0	12	2	3	1	0	4	9	4	9	3	0
3	1	0	0	12	1	3	0	4	4	8	7	9	1	6
3	1	6	0	12	0	3	0	2	4	8	2	9	0	4
3	2	0	0	11	7	2	15	6	4	7	6	8	15	4
3	2	6	0	11	7	2	15	2	4	7	1	8	14	2
3	3	0	0	11	6	2	15	0	4	6	4	8	13	0
3	3	6	0	11	5	2	14	6	4	6	0	8	12	0
3	4	0	0	11	4	2	14	2	4	5	4	8	11	0
3	4	6	0	11	4	2	14	0	4	5	0	8	10	0
3	5	0	0	11	3	2	13	4	4	4	2	8	8	4
3	5	6	0	11	2	2	13	0	4	4	0	8	8	0
3	6	0	0	11	2	2	12	7	4	3	4	8	7	5
3	6	6	0	11	0	2	12	4	4	2	7	8	5	6
3	7	0	0	11	0	2	12	0	4	2	2	8	4	4
3	7	6	0	11	0	2	11	7	4	1	7	8	3	6
3	8	0	0	10	7	2	11	5	4	1	3	8	2	6
3	8	6	0	10	7	2	11	2	4	0	7	8	1	6
3	9	0	0	10	6	2	11	0	4	0	4	8	1	0
3	9	6	0	10	6	2	10	5	4	0	0	8	0	0
3	10	0	0	10	5	2	10	3	3	15	4	7	15	0
3	10	6	0	10	5	2	10	0	3	15	1	7	14	2
3	11	0	0	10	4	2	9	6	3	14	5	7	13	2
3	11	6	0	10	3	2	9	4	3	14	2	7	12	4
3	12	0	0	10	3	2	9	1	3	13	6	7	11	4
3	12	6	0	10	2	2	8	7	3	13	3	7	10	6
3	13	0	0	10	2	2	8	5	3	12	7	7	9	6
3	13	6	0	10	1	2	8	3	3	12	4	7	9	0
3	14	0	0	10	1	2	8	0	3	12	1	7	8	2
3	14	6	0	10	0	2	7	6	3	11	6	7	7	4
3	15	0	0	9	7	2	7	4	3	11	2	7	6	4
3	15	6	0	9	7	2	7	2	3	11	0	7	6	0
3	16	0	0	9	6	2	7	0	3	10	4	7	5	0
3	16	6	0	9	6	2	6	6	3	10	1	7	4	2
3	17	0	0	9	5	2	6	4	3	9	6	7	3	4
3	17	6	0	9	4	2	6	2	3	9	3	7	2	6
3	18	0	0	9	4	2	6	0	3	9	0	7	2	0
3	18	6	0	9	3	2	5	6	3	8	5	7	1	2
3	19	0	0	9	3	2	5	4	3	8	2	7	0	4
3	19	6	0	9	3	2	5	2	3	8	0	7	0	0
4	0	0	0	9	2	2	5	0	3	7	5	6	15	2



A COLLECTION OF STATUTES.

The fifteenth and sixteenth years of GEORGE III.

CHAP. I.

An act for granting unto his Majesty the several duties, rates, impositions, and taxes therein particularly expressed, to be applied to pay an interest at the rate of four pounds per centum per annum, *for such part of the several principal sums formerly borrowed, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy five; and for such other purposes as are therein mentioned.*

By 13 and 14 G. 3. c. 2. additional duties to 25 Dec. 1775 to pay 4 *per cent* loan interest,

WHEREAS by an act of parliament made and passed in the thirteenth and fourteenth years of your Majesty's reign, intitled, *An act for granting unto his Majesty the several duties, rates, impositions and taxes therein particularly expressed, to be applied to pay an interest at the rate of four* per cent. per annum, *for such part of the several principal sums formerly borrowed, as shall remain unpaid on the twenty fifth day of December*

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December one thouſand ſeven hundred and ſeventy three, and to apply the ſurplus of the ſaid duties in ſuch manner, and for ſuch purpoſes, as ſhall be directed by parliament, ſeveral aids and additional duties were granted to your Majeſty, your heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the twenty fifth day of December one thouſand ſeven hundred and ſeventy five inclusive, to pay an intereſt for the ſeveral ſums in the ſaid recited act particularly mentioned, or ſo much thereof as ſhould remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three to the perſon or perſons, who lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas by one other act made and paſſed in the ſame ſeſſion of parliament, intitled, *An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum, not exceeding the ſum of two hundred and ſixty five thouſand pounds*; it was enacted, the ſurplus or exceedings of the aids and duties granted to your Majeſty by the act herein before recited, over and above what ſhould be ſufficient to diſcharge the intereſt therein mentioned and provided for, or ſo much of ſuch ſurplus or exceedings as ſhould be for that purpoſe neceſſary, ſhould be applied towards payment of the ſeveral annuities therein mentioned: and whereas the ſeveral aids and duties granted to your Majeſty in and by the ſaid firſt recited act have not proved ſufficient to pay and diſcharge the ſaid ſeveral principal ſums, and the intereſt of the ſame reſpectively: and whereas it is neceſſary to provide for the payment of ſuch part of the ſaid ſeveral principal ſums, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy five, together with the intereſt thereof, and alſo to provide for the payment of the annuities aforeſaid: we therefore your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted, by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for

and by c. 5. the ſurplus to pay annuities,

the duties by 13 and 14 *G.* 3. c. 2. inſufficient,

ſo much of the ſaid ſeveral principal ſums ſo borrowed as aforeſaid, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy five, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, at the end of every ſix calendar months from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five, to the perſon or perſons who has or have paid or lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, intereſt at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

4 per cent intereſt on loan due 25 Dec. 1775, payable half yearly,

till principal at one payment.

II. And be it further enacted by the authority aforeſaid, that the ſeveral annuities, granted by the ſaid laſt recited act to the ſeveral ſubſcribers who advanced and paid the ſaid ſum of two hundred and ſixty five thouſand pounds into his Majeſty's treaſury, purſuant to the ſaid act, and to one other act paſſed in the ſame ſeſſion, intitled, *An act to explain and amend an act paſſed in this ſeſſion of parliament*, intitled, *An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*, ſhall and may be regularly paid, as the ſame ſhall become due, according to the true intent and meaning of the ſaid recited acts.

Annuities granted 13 and 14 *G.* 3. c 5. and 7 to ſubcribers for 265000l. paid purſuant thereto.

III. And to the end and intent that the intereſt of the ſaid ſeveral ſums ſo formerly borrowed and remaining unpaid, and the ſaid ſeveral annuities, may be duly and regularly paid according to the true intent and meaning of the ſaid recited acts, be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December, which ſhall be in this preſent year one thouſand ſeven hundred and ſeventy five, there ſhall be throughout his Majeſty's kingdom of Ireland raiſed, levied, granted, collected, and paid to his Majeſty, his heirs and ſucceſſors, until the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven incluſive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of his Majeſty King Charles the ſecond, intitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one

For payment of ſaid intereſt and annuities additional duties from 25 Dec. 1775 to Dec. 1777,

above duties by 14 and 15 *C.* 2. c. 8. and 9. or other act.

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other act passed in the said fourteenth and fifteenth years of the reign of the said king Charles the second, intitled, *An act for settling the subsidy of poundage, and granting a subsidy of tonnage and other sums of money, unto his royal Majesty, his heirs and successors, the same to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland according to the book of rates hereunto annexed*, and over and above any other duties, rates, impositions, and taxes granted to his Majesty by any other act of parliament heretofore enacted in this kingdom, and still in force, and over and above any duties, rates, and impositions granted, by any other act of parliament, or which shall or may be enacted during this present session of parliament, the several duties, rates, impositions, and taxes herein after mentioned (that is to say) an additional duty of six pounds *per* ton for and upon all sorts of wine of the growth of France or Spain, and of three pounds *per* ton for and upon all sorts of wine of the growth of Portugal, and of five pounds *per* ton for and upon all other wines that shall be imported into this kingdom from and after the said twenty fifth day of December one thousand seven hundred and seventy five; and also an additional duty of four pounds sterling *per* pound weight for and upon all velvets or manufactures made of or mixed with silk (except those of Great Britain, China, Persia, and the East-Indies) that shall be imported into this kingdom from and after the twenty fifth day of December one thousand seven hundred and seventy five; an additional duty of one halfpenny *per* pound weight for and upon all hops that shall be imported into this kingdom from and after the twenty fifth day of December one thousand seven hundred and seventy five; an additional duty of five pounds *per centum* for and upon all China, earthen, japanned, or laquered ware, as valued or rated for custom by the book of rates, that shall be imported into this kingdom from and after the said twenty fifth day of December one thousand seven hundred and seventy five; an additional duty of three pounds *per* ton for and upon all sorts of vinegar, that shall be imported into this kingdom from and after the said twenty fifth day of December one thousand seven hundred and seventy five; a further additional duty of two pence *per* gallon for and upon every gallon of Aqua vitæ, strong waters, and spirits, that shall be made or distilled within this kingdom for sale, to be paid by the first maker or distiller thereof from and after the said twenty fifth day of December one thousand seven hundred and seventy five; a further additional duty of two pence *per* pound for and upon all

Wine of *France* or *Spain* 6l. *per* ton, *Port* 3l. other wines 5l.

velvets, silks, save of *G. Britain* or the *East* 4l. *per* lb.

hops ½d. *per* lb.

China, &c. 5l. *per cent* as rated for custom,

vinegar 3l. *per* ton,

strong waters and spirits distilled for sale 2d. *per* gallon,

Coffee 2d. *per* lb.

all coffee that shall be imported into this kingdom from and after the said twenty fifth day of December one thousand seven hundred and seventy five; a duty of ten shillings *per annum* to be paid by all and every person or persons that doth, do, or shall sell or tap out by retail any cyder at any time between the said twenty fifth day of December one thousand seven hundred and seventy five and the twenty fifth day of December one thousand seven hundred and seventy seven inclusive; a duty of one penny *per* gallon for and upon all cyder that shall be sold or tapped out by retail, to be paid by the person who shall sell or tap out the same by retail, from and after the said twenty fifth day of December one thousand seven hundred and seventy five; an additional duty of twenty shillings to be paid by every person for every coach, chariot, berlin, calash, or chaise with four wheels, which such person shall keep in his or her possession (except hackney and stage coaches, and coaches and such other four wheel carriages as aforesaid, kept by coach makers for sale and also except cabriolets or garden chairs) at any time between the said twenty fifth day of December one thousand seven hundred and seventy five and the twenty fifth day of December one thousand seven hundred and seventy six inclusive; an additional duty of twenty shillings to be paid by every person for every coach, chariot, berlin, calash, or chaise with four wheels, which any person shall keep in his or her possession (except as aforesaid) at any time between the said twenty fifth day of December one thousand seven hundred and seventy six and the said twenty fifth day of December one thousand seven hundred and seventy seven inclusive; an additional duty of twenty shillings *per* ton for and upon every ton of soap boilers waste, and so in proportion for a greater or lesser quantity that shall be exported out of this kingdom to any parts beyond the seas from and after the twenty fifth day of December one thousand seven hundred and seventy-five; an additional duty of three pounds *per* ton for and upon every ton of linen rags, and so in proportion for a greater or lesser quantity that shall be exported out of this kingdom to parts beyond the seas, from and after the twenty fifth day of December one thousand seven hundred and seventy five.

Cyder retailers 10s. *per ann.* to 25 Dec. 1777 and 1d. *per* gallon,

and 20s. *per ann.* 4 wheel carriages, except hackneys, stages, and for sale, and cabriolets, *cabriolets, if wheels above* 4 *feet diameter, liable, c.* 15. *s.* 13.

soap waste 20s. *per* ton,

linen rag 3l.

IV. And whereas great frauds and abuses have been committed by the clandestine importation of tea from parts beyond the seas without paying any duty for such tea: for remedy whereof, and for the greater discouragement of the pernicious and illegal practice of unlawfully importing and clandestinely running and landing of

To prevent running tea,

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of tea; be it further enacted by the authority aforesaid, that from and after the twenty fifth day of December one thousand seven hundred and seventy five until the twenty fifth day of December one thousand seven hundred and seventy seven inclusive there shall be paid to his Majesty, his heirs and successors, the sum of six pence for every pound of green tea, and the sum of four pence for every pound of black bohea and other tea, which shall be imported into this kingdom during the time aforesaid, in lieu and full satisfaction of all duties of customs and excise.

green tea 6d. *per* lb.

bohea and other, 4d.

in lieu of all duties.

V. And be it further enacted by the authority aforesaid, that the further additional duty herein after mentioned shall be raised, levied, and paid to his Majesty, his heirs and successors, from the twenty fifth day of December one thousand seven hundred and seventy five to the twenty fifth day of December one thousand seven hundred and seventy seven inclusive, that is to say, a further additional duty of five pounds *per centum* for and upon the several goods and manufactures (not being of the growth and produce or manufacture of Great Britain) herein after named, as the same now stand rated for customs in the book of rates, or, if unrated, shall be valued on oath of the importer, which shall be imported into this kingdom during the time aforesaid, over and above all other duties now payable for the same, *viz.* apparel, apples, bacon and hams, beads of glass, chocolate, cocoa nuts, coffee, cork, capers, cloves, currants, chesnuts, walnuts, smalinuts, bugles, hulled barley, artificial flowers, millinary ware, pearl barley, fans, hats chip and straw, anchovies, sturgeon, pins, wrought ivory, olives, onions, prints and pictures, mace, nutmegs, wrought incle, drugs (not being for dyer's use) elephant's teeth, furs, all lacquered, japanned, gilt, painted, brunzed and enamelled ware, gloves of all sorts, almonds, anniseeds, cinamon, liquorice, pepper, piamento, pruins, raisins, rice, saffron, succards, succus, liquoritia, needles, thimbles, outnal threads, sisters thread, China and earthen ware, whited brown thread, and all other threads, haberdashery, hardware, toys, mermitts, iron pots, sciffars, snuff, tyles, shot, laces of cotton, thread, worsted or silk, groceries of all kind (except sugars) oranges, and lemons, lime, lemon and orange juice (not being for dyers,) tape, foreign linens, and all manufactures of flax and hemp; and also the further additional duties herein after mentioned, that is to say, for and upon all chintzes, calicoes, and muslins of the manufacture of China, Persia, and the East Indies, that shall be imported into this kingdom during the time aforesaid, the sum of six pence *per* yard over and above all

Further additional duties to 25 December 1777,

5 *per cent.* on goods named (not *British*) as rated for custom, or, if unrated, valued on importer's oath,

chintzes, &c. 6d. *per* yard,

all other duties payable for the same; a further additional duty for and upon all teas imported into this kingdom, which shall have been purchased at the India company sales for an higher price than four shillings British *per* pound, at the rate of one penny *per* pound weight for every six pence British that shall be paid for the same, over and above the sum of four shillings British at the sales above mentioned, from the twenty fifth day of December one thousand seven hundred and seventy five to the twenty fifth day of December one thousand seven hundred and seventy seven inclusive; the price of the teas to be inserted in the cockets, and to be further ascertained by a reference to the sale books of the East India company, copies whereof, or of such parts thereof as shall relate to the teas so imported, attested by the principal accountant or deputy accountant for the time being of the East India company, the commissioners of the revenue are required to procure from time to time for the purposes above mentioned; and which copies shall be admitted as evidence in all prosecutions commenced or arising upon this act; a further additional duty of six pence *per* pack for and upon all painted or playing cards that shall be manufactured or vended in this kingdom between the twenty fifth day of December one thousand seven hundred and seventy five and the twenty fifth day of December one thousand seven hundred and seventy seven, over and above all other duties now payable for the same.

teas above 4s. *per* lb. at company's sale, 1d. *per* lb. weight every *British* 6d. over,

the price in the cocket,

company books evidence,

cards 6d. *per* pack,

5*l. per pack c.* 15. *f.* 14.

VI. And be it further enacted by the authority aforesaid, that if the said wines and other merchandizes herein before mentioned, upon which the aforesaid duties are hereby charged upon the importation thereof, shall after payment thereof, or security given for the same, be again exported by any merchant or merchants, who is or are subject or subjects of this realm, or any other his Majesty's dominions, within twenty four calendar months, or by merchant strangers within twelve calendar months, after the importation thereof, and if due proof shall be first made by certificate from the proper officers of the due entry and payment of the said duties hereby granted, or security given for the same, and if all other requisites, shall be performed which are by law required to be performed in those cases, where the duties of excise are to be repaid, that then the said duties hereby imposed shall without any delay or reward be repaid or allowed unto such merchant or merchants so exporting the same within one calendar month after demand thereof, or the security for the said duties by this act charged shall be vacated, as to so much as shall be so

Drawback,

subjects 24, strangers 12, months,

on certificate and requisites.

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exported; any thing herein contained to the contrary notwithſtanding.

Cyder not retailed without licence.

VII. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy five no perſon or perſons whatſoever ſhall ſell or tap out by retail any cyder within this kingdom, but only ſuch as ſhall be licenced according to the directions of this act, under ſuch penalty as herein after is expreſſed.

By three commiſſioners and collectors,

VIII. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy five it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's exciſe, or any three of them, and the collectors of his Majeſty's exciſe, in their ſeveral and reſpective diſtricts from time to time to iſſue and grant ſuch licences for the ſelling and tapping out cyder by retail, and that for every ſuch licence ſo to be granted the ſum of one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee for the ſame; and if any perſon or perſons ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy five ſell or tap out cyder by retail without ſuch licence as aforeſaid, every ſuch perſon ſo offending ſhall for every time he or ſhe ſhall ſo offend, forfeit and pay the ſum of five pounds.

fee 1s. & 1d.

penalty 5l.

Entry by day by exciſe officers to take account, and charge 1d. *per* gallon.

IX. And be it further enacted by the authority aforeſaid, that for the better ordering and collecting the ſaid duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, it ſhall and may be lawful to and for the gauger or gaugers, and officers of exciſe, within their reſpective diſtricts, from time to time from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five to enter in the day time into the houſes, outhouſes, ſtorehouſes, and cellars of every retailer or retailers of cyder, and to take an account of all ſuch cyder as ſhall be found in the poſſeſſion of ſuch retailer or retailers, and to charge ſuch retailer or retailers with the ſaid duty of one penny *per* gallon accordingly.

Stock declared on demand,

refuſal, or falſe return, 10l.

X. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five every retailer of cyder ſhall ſhew to the gaugers or officers of exciſe on demand all his or her ſtock of cyder then on hand; and in caſe any ſuch retailer or retailers of cyder, or his, her, or their ſervant or ſervants, in caſe ſuch retailer or retailers ſhall not be preſent, when the gauger or

officers of exciſe ſhall come to ſuch retailer's houſe to take ſtock as aforeſaid, ſhall refuſe to make delaration, and ſhew all his or her ſtock of cyder then on hand, every ſuch retailer ſhall for every ſuch offence forfeit and loſe the ſum of ten pounds; and if ſuch gauger or officers of exciſe ſhall, after declaration made as aforeſaid, find any cyder in the poſſeſſion or cuſtody of ſuch retailer or retailers, over and above the quantity ſo ſhewn and declared, ſuch retailer ſhall likewiſe forfeit and loſe the ſum of ten pounds.

Certificate of coaches, &c. in 3 months to collector with the abode.

XI. And be it further enacted by the authority aforeſaid, that for the better collecting the ſaid duty chargeable on every perſon who ſhall keep any carriages with four wheels, (except as before excepted) every perſon, who from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five, ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, ſhall within three calendar months after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five, or within three calendar months after he or ſhe ſhall have or keep any ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, by writing under his or her hand certify to the collector of exciſe in ſome one of the diſtricts, wherein he or ſhe ſhall reſide or dwell within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh, and chaiſe with four wheels, which he or ſhe ſhall have or keep (except hackney or ſtage coaches, and coaches kept by coach makers for ſale) with the name of the place and pariſh of his or her reſidence or abode at the time of giving ſuch certificate; which ſaid certificate ſhall be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom for the time being, and ſhall be alſo entered or regiſtered in an alphabetical book, to be by them reſpectively kept for that purpoſe, and a copy of ſuch entry, ſigned by ſuch collector or his clerk, to be delivered, if required, without fee or reward to the perſon delivering ſuch certificate, and a number ſhall be entered on each certificate ſo regiſtered; and that the ſaid collectors reſpectively ſhall under their hands on or before the twenty fifth day of December in every year give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, from time to time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode reſpectively mentioned in ſuch reſpective certificates, to the perſons, who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties; and that ſuch perſons, as ſhall be appointed by the ſaid commiſſioners of exciſe,

regiſtered alphabetically and numbered,

liſts before 25 December returned to collector of duty,

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excise, or any three of them, to collect and receive the said duties on coaches, chariots, berlins, calashes, and chaises with four wheels, shall have full power and authority to levy, collect, and receive the same within the district, wherein the certificate shall be entered, in the same manner as his Majesty's revenue arising from fire hearths is now by law levied, collected, and received; and shall respectively sign and deliver acquittances without fee or reward for the same, and shall keep duplicates thereof in a book to be kept for that purpose, in the same manner as acquittances are given and kept for the duty of fire hearths, and shall respectively return the book containing the duplicates of such acquittances to such person and persons, and at the same time, and to be disposed of in the same manner, as books containing the duplicate of acquittances for the said duty on fire hearths are returned; and that the duties aforesaid shall be paid in the respective districts, wherein the said carriages shall be entered or registered respectively, and in no other.

levied as hearth money, where certificate entered,

acquittances without fee

duplicates kept,

paid only where registered,

Not certifying 2ol. as by 14 & 15 *C.* 2. c. 8.

XII. And be it further enacted by the authority aforesaid, that if any person or persons shall have or keep any coach, chariot, berlin, calash, or chaise with four wheels, chargeable with the said duty by virtue of this act, which shall not be certified in manner as aforesaid, then and in such case every such person and persons, so having or keeping such coach, chariot, berlin, calash, or chaise with four wheels, not certified as aforesaid, shall for such neglect forfeit the sum of twenty pounds, to be sued for, recovered, levied, and applied in such manner and form, and by such ways and methods, as are prescribed and appointed for the recovery of penalties in and by an act of parliament made and passed in the said fourteenth and fifteenth years of the reign of the said king Charles the second, intitled, *An act for the settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted.*

Possessor charged as owner.

XIII. Provided nevertheless, that every person (except as before excepted) having in his or her keeping or possession any coach, chariot, berlin, calash, or chaise with four wheels, belonging to another, shall be charged for every such coach, chariot, berlin, calash, or chaise with four wheels, with the said duty imposed by this act, in the same manner as the owner or propietor thereof is or ought to be charged or chargeable for the same by this act.

Duty paid to collector of the district,

XIV. And be it further enacted by the authority aforesaid, that the person or persons, who for the time being shall be authorized and impowered to collect and levy the said duty on coaches, chariots, berlins, calashes, and chaises with four wheels, shall pay the

the same to the said collectors of the several districts, where the said duties shall be collected and raised; and that the said collectors shall keep separate and distinct accounts thereof, and pay the same into his Majesty's treasury as other money received by them for the use of his Majesty.

separate accounts, and paid into treasury.

XV. And be it further enacted by the authority aforesaid, that all and every person or persons, to whom debentures or receipts of one hundred pounds each have been given for any part of the said several principal sums formerly borrowed as aforesaid, which shall remain unpaid on the said twenty fifth day of December in this present year one thousand seven hundred and seventy five, now carrying interest at the rate of four pounds *per centum per annum*, his, her, or their executors, administrators, or assigns, shall or may at his, her, or their election or choice receive in exchange for the same from the vice treasurer or vice treasurers, or paymaster or receiver general, his or their deputy or deputies, either four debentures of twenty five pounds each, or two debentures of twenty five pounds each, and four of twelve pounds ten shillings each, as he, she, or they shall think proper; such debentures so given in exchange to be numbered in such manner as the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies, shall think fit, and to bear the same rate of interest, payable at the same time and times, with the debenture or debentures so exchanged as aforesaid, which are hereby required to be cancelled; and that all and every person or persons intitled to any of the said debentures of one hundred pounds each, or to any debenture of any lesser sum taken in exchange for such debentures of one hundred pounds each, may by indorsement on such debentures or receipts transfer the right and benefit of the sums due on the said debentures or receipts, which indorsement upon notice to the vice treasurer or vice treasurers, his or their deputy or deputies, and an entry or memorial thereof made in the said vice treasurer's office, which the said vice treasurer or vice treasurers, his or their deputy or deputies, shall upon request without charge, fee, or reward, make accordingly, and shall on request permit the same to be viewed at the usual office hours without fee or reward, shall entitle the indorsee or assignee, his or her executors, administrators, or assigns, to the sole benefit of the sum so transferred or assigned; and that the said debentures or receipts may in like manner be assigned or transferred by such indorsee or assignee, his or her executors, administrators, or assigns, and so *toties quoties*; and that after such assignment,

100l. debentures may be exchanged for smaller;

transferable by indorsement as before,

it shall not be in the power of the person or persons, who made such assignment, to make void, release, or discharge the said assignment, or to discharge or receive the sum thereby transferred or assigned, or any part thereof.

Said duties raised and paid as by 14 & 15 C. 2. c. 8. or other excise law,

XVI. And be it further enacted by the authority aforesaid, that all and every the several and respective additional and other duties and rates hereby granted, other than such as are otherwise by this present act appointed, shall be raised, answered, collected and paid unto his Majesty, his heirs and successors, during the term aforesaid, at the same time, and in like manner, and by such ways, means, and methods, and by such rules and directions, and under such penalties and forfeitures, and with such powers, as are appointed, directed, and expressed in and by the said act made in this kingdom in the fourteenth and fifteenth years of the reign of king Charles the second, intitled, *An act for the settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted*, or by any other law now in force relative to the revenue of excise in this kingdom, as fully and effectually to all intents and purposes, as if the same were particularly mentioned, specified, and enacted again in the body of this present act, with like remedy of appeal to and for the party grieved, as in and by the said act of excise, or any other law or laws now in being relating to the duty of excise, is provided.

with like appeal.

4s. per l. on absentees 6 months for salaries, employments, fees, or pensions,

XVII. And be it further enacted by the authority aforesaid, that all and every person and persons, who shall have upon the said twenty fifth day of December one thousand seven hundred and seventy five, or who shall have at any time between the said twenty fifth day of December one thousand seven hundred and seventy five and the twenty fifth day of December one thousand seven hundred and seventy seven inclusive, any salary, profits of employments, fees or pensions, in this kingdom, shall, during the time aforesaid pay unto his Majesty the full sum of four shillings sterling out of every twenty shillings a year, which he, she, or they do or shall receive, or be entitled unto by reason of such salaries, profits of employments, fees, or pensions, over and above the charges and expences of executing the said employments, unless such person or persons do or shall live and actually reside within this kingdom for and during the space of six calendar months at least in every such year; which said tax or duty of four shillings sterling, payable on every twenty shillings a year as aforesaid, shall be stopped and deducted yearly out of such respective salaries, fees, and pensions, during the time and term aforesaid, by the vice treasurer or vice treasurers,

stopped,

paid to vice treasurers & accounted for,

paymaſter or paymaſters, and receiver general of his Majeſty's revenue, or by ſuch perſon or perſons who is or are to pay the ſame; and which ſaid tax of four ſhillings in the pound, to be ſtopped and deducted as aforeſaid by the perſon or perſons, who is or are to pay the ſaid ſalaries, ſhall be by him or them paid to the vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to his Majeſty; and alſo that the ſaid tax of four ſhillings in the pound to be ſtopped and deducted out of the ſaid ſalaries, profits of employments, fees, and penſions of any perſon or perſons ſo abſent as aforeſaid, ſhall be ſtopped by the reſpective deputy or deputies of ſuch perſon and perſons ſo abſent as aforeſaid, and paid by them to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to his Majeſty; and that ſuch deputy or deputies ſhall, within one calendar month after ſuch tax ſhall become due, give in upon oath an account before the lord chief baron, or any of the barons of the exchequer, or any two juſtices of the peace, of the net profits of ſuch employment or employments, for which ſuch deputy or deputies is, are, or ſhall be accountable to their principals; which accounts ſuch perſon or perſons, to whom the ſame ſhall be given upon oath as aforeſaid, ſhall forthwith ſend to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies; and ſuch deputy or deputies of ſuch perſon or perſons ſo abſent as aforeſaid ſhall, within one calendar month after ſuch account given in before the chief baron or any of the barons of the exchequer, or any two juſtices of the peace as aforeſaid, pay to the vice treaſurer or vice treaſurers, his or their deputy or deputies, the ſum due and payable to his Majeſty for and on account of the ſaid tax of four ſhillings in the pound, chargeable upon the net profits of ſuch employment or employments, office or offices; and in caſe ſuch deputy or deputies of the perſon or perſons, ſo abſent as aforeſaid, ſhall omit or neglect to give in upon oath ſuch account, or to pay the ſaid tax within the reſpective times herein before for that purpoſe appointed, ſuch deputy or deputies, neglecting or omitting the ſame, from the time of ſuch omiſſion or neglect ſhall be incapable of exerciſing or holding ſuch deputation, and ſhall alſo forfeit the ſum of one hundred pounds ſterling, to be recovered by bill, plaint, or information in any of his Majeſty's courts of record at Dublin: one moiety thereof to the uſe of his Majeſty, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame; in which ſuit no eſſoign, protection, wager of law, or more than one imparlance ſhall be allowed.

deputies in a month to account on oath before a baron or 2 juſtices for neat profits,

ſent to vice treaſurers,

payment in 1 month after account,

on neglect diſabled, and 100l. to king and proſecutor.

XVIII. And

Secretaries and agents to deliver on oath by the last of Feb. yearly lists of absentees,

XVIII. And be it further enacted by the authority aforesaid, that the secretary or secretaries of the commissioners of his Majesty's revenue, and the agent and agents of the several persons who are entitled to receive any salaries, fees, or pensions upon his Majesty's establishment, shall respectively on or before the last day of February yearly deliver in upon oath (which oath the said lord chief baron, or any of the barons of his Majesty's court of Exchequer, or any two justices of the peace, are hereby required and impowered to administer) to the best of their knowledge a list or account of such of the officers of the revenue, and of the person or persons who are entitled to receive any such salaries, fees, or pensions, who shall have been absent and out of this kingdom for six calendar months in the year, ending the twenty fifth day of December next preceding; and in case such secretary or secretaries, agent or agents, shall refuse or neglect to deliver in such lists respectively, he or they shall be disabled from holding and enjoying the said office of secretary or secretaries, or from being agent or agents.

or disabled.

Persons exempted.

XIX. Provided always, and be it further enacted by the authority aforesaid, that this act shall not extend to charge the tax or duty of four shillings sterling a year on every twenty shillings as aforesaid upon the salary, pension, fees, or profits of employments payable to any of the descendants of his Majesty's royal grandfather, or to the lord lieutenant, or other chief governor or governors of this kingdom for the time being, or to his or their principal secretary, or to prince Ferdinand, duke of Brunswick, the duke and dutchess of Athol, Sir Edward Hawke, knight of the Bath, or George Charles esquire, if his Majesty shall think fit by his sign manual to exempt the said prince Ferdinand, duke of Brunswick, the duke and dutchess of Athol, Sir Edward Hawke, and George Charles, or any of them, from the payment of the same, nor shall the same extend to the officers of the army, so far as respects the pay arising from their regimental commissions, nor shall the same extend to the half-pay officers on the establishment of this kingdom, or the widows of officers.

No fee on payments under this act.

XX. And be it further enacted by the authority aforesaid, that neither the six pence *per* pound nor any other fee shall be payable to nor be deducted or received by the vice treasurer or vice treasurers, receiver or paymaster general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the issuing or payment of any sum or sums of money arising by, or which shall be received for, or on account of the aids

hereby granted to his Majesty, or of any payment to be made in pursuance of this act.

XXI. And be it further enacted by the authority aforesaid, that so much of the yearly produce of the said duties arising upon teas, as shall amount to the sum of ten thousand pounds yearly, shall in the first place be paid to the trustees of the hempen and linen manufactures in this kingdom; and that so much of the residue of the said duties upon teas, as shall amount to the sum of seven thousand three hundred pounds yearly, shall be placed to the account of his Majesty's hereditary revenue; and that the surplus of the produce of such duties, together with the several other duties and aids hereby granted unto his Majesty, shall in the first place be applied and paid by the vice treasurer or vice treasurers, his or their deputy or deputies, to pay the interest for so much of the said several principal sums formerly borrowed as aforesaid, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy five; and in the next place to the payment of the annuities aforesaid.

10000l. of tea duty to linen manufacture,

7300l. to hereditary revenue,

surplus with the other duties to interest of loan due 25 Dec. 1775,

next to the annuities.

XXII. And for that purpose be it further enacted by the authority aforesaid, that an act passed in the last session of parliament to explain and amend the said act, made for granting of the annuities aforesaid, shall continue until the twenty fifth day of December in the year one thousand seven hundred and seventy seven, and no longer; and that the residue of the produce of the said duties be applied in such manner and for such purposes, as shall be directed by parliament.

13 & 14 *G.* 3. *c.* 7. continued to 25 Dec. 1777,

residue as directed by parliament, 17 & 18 *G.* 3. *c.* 2. *s.* 24.

XXIII. And be it further enacted by the authority aforesaid, that so much of the said several principal sums formerly borrowed as aforesaid, as shall remain due and unpaid on the said twenty fifth day of December, which shall be in the year of our Lord one thousand seven hundred and seventy seven, shall be well and truly satisfied and paid unto the several and respective persons, their executors, administrators and assigns, to whom the same shall be then due, together with such interest for the same as shall be then due at the rate aforesaid, without any deduction, defalcation, or abatement whatsoever.

Principal due 25 Dec. 1777, paid with the interest without deduction.

XXIV. And be it further enacted by the authority aforesaid, that from and after the said twenty fifth day of December one thousand seven hundred and seventy five a separate and distinct account shall be kept by the proper officer, of the aids, duties, and taxes granted by this act, or any other act of parliament now in force in this kingdom, and appropriated to particular uses; and that the commissioners of his Majesty's revenue shall

Separate accounts of appropriated duties,

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return their weekly abſtracts from the ſeveral collectors to the accountant general; and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury, which ſaid receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby to give accordingly.

weekly abſtracts to accountant general,

ſeparate accounts returned, and receipts given.

CHAP. II.

An act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of one hundred and ſeventy five thouſand pounds.

As a further ſupply to raiſe 175000l. by life annuites or intereſt at 6l. *per ann.* with benefit of ſurvivor,

WE your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, being highly ſenſible of the ineſtimable bleſſings we enjoy under your Majeſty's mild and auſpicious reign, and deſirous to the utmoſt of our power to ſupport your Majeſty's government with honour, do moſt humbly beſeech your Majeſty, that as a further ſupply to your Majeſty a ſum, not exceeding one hundred and ſeventy five thouſand pounds, ſhall be raiſed by granting life annuities, or intereſt, at the rate of ſix pounds *per annum*, with benefit of ſurvivorſhip: and for that purpoſe be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons, his Majeſty's natural born ſubjects, or foreigners, ſhall within the ſeveral times, and in manner herein after particularly mentioned, pay into his Majeſty's treaſury in Ireland any ſum or ſums of money, not exceeding in the whole the ſaid ſum of one hundred and ſeventy five thouſand pounds, to be ſubſcribed by them in ſums of one hundred pounds each, there ſhall be paid to ſuch perſon or perſons ſo paying or advancing the ſame reſpectively, their executors, adminiſtrators, or aſſigns, or to the perſon or perſons legally authorized by them to receive the ſame, by the hands of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, annuities of ſix pounds *per annum* for each and every hundred pounds ſo ſubſcribed and paid for and during the lives of the perſons to be nominated by the perſons ſubſcribing and paying

for 175000l. paid into treaſury, and ſubſcribed in 100l. each, annuities of 6l. *per cent.* paid for lives of nominees by ſubſcribers, with additional intereſt by ſurvivor,

payable by vice treaſurers half yearly,

paying the said sum and sums respectively, together with such additional interest as shall accrue by survivorship, in manner herein after provided; and that the said annuities shall commence from the twenty fifth day of December one thousand seven hundred and seventy five, and shall be paid half yearly in equal portions on every twenty fourth day of June and twenty fifth day of December in every year.

to commence 25 Dec. 1775.

II. And be it further enacted by the authority aforesaid, that a sum of twenty pounds, part of each one hundred pounds so to be subscribed, shall be paid into the said treasury on or before the first day of February in the year one thousand seven hundred and seventy six; and that a further sum of forty pounds per cent. thereof be paid on or before the first day of May in the year one thousand seven hundred and seventy six; and that the remaining sum of forty pounds per cent. to compleat the payment of every such subscription of one hundred pounds, be paid on or before the twenty fourth day of June in the year one thousand seven hundred and seventy six; at or before which last mentioned time, all and every subscriber or subscribers, or the assignee or assignees of such subscriber or subscribers, having compleated the payment of the sum or sums so subscribed, shall name or cause to be named in manner herein after mentioned such person or persons, as he, she, or they shall think proper, to be the person or persons, for and during whose life or lives the said annuity or annuities with the said benefit of survivorship shall be respectively paid; and that every subscriber may subscribe and pay as many sums of one hundred pounds each, as he or she shall think fit; and that all and every person and persons subscribing and paying as aforesaid, his, her, or their assignee or assignees, may name to the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies for the time being, one or more life or lives, at his, her, or their discretion, for the sum or sums so subscribed and paid, so as no more lives than one be named for each distinct sum of one hundred pounds so subscribed and paid; and every person so subscribing and paying, his, her, or their assignee or assignees, or the executors, administrators, or assigns of such subscriber or subscribers, his, her, or their assignee or assignees, as the case may be, shall receive such annuity or interest as aforesaid, together with such benefit of survivorship as is herein after provided, for every hundred pounds subscribed and paid as aforesaid, during the life so named for every such sum of one hundred pounds respectively; and that every such subscriber, his or her assignee or assignees,

20l. *per cent.* subscribed paid by 1st February 1776,

40l. 1st May 1776,

40l. 24th June 1776,

on compleating subscription lives named,

as many 100l. as each thinks fit, name 1 or more lives, so as no more than 1 for each 100l.

may name 1 life for several 100l.

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assignees, may name one and the same life for so many of such several and distinct sums of one hundred pounds each so subscribed and paid, as such subscriber, his or her assignee or assignees, shall think fit; and that the several nominees in the said life annuities shall be divided by the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy and deputies, into three separate classes; the first class to consist of persons of the age of forty years and upwards; the second class to consist of persons of the age of twenty years and upwards, but under forty; and the third class to consist of persons under the age of twenty years; and that the entire interest of the entire sum so to be advanced by persons subscribing in any of the said classes, his, her, or their assignee or assignees, computing such interest at the rate of six pounds by the hundred by the year, shall go to and be divided among the persons so subscribing, his, her, or their assignee or assignees, in proportion to the sums so subscribed and paid, as the nominees in such class shall die; and the intire interest of the sum advanced shall be paid to the subscriber, his or her assignee or assignees, whose nominee shall be the survivor of the nominees of each class, during the life of such surviving nominee; and that in order to avoid fractional divisions, and the expence and difficulty of keeping long and intricate accounts, no distribution of any sum or sums, so accruing by survivorship in any of the said classes, shall be made to the subscribers, or the assignee or assignees of such subscribers in any such class, until such sum or sums so accrued by the fall of lives in such class shall be sufficient to pay an additional interest of one half per cent. to the several persons, who shall be then entitled to receive the same; and that every subscriber, his or her assignee or assignees, who shall not compleat his or her subscription within the times and in the manner aforesaid, shall forfeit the sum or sums by such subscriber, his or her assignee or assignees advanced, and the same shall be applied to the credit of the nation; and that if any subscriber or subscribers, or the assignee or assignees of any subscriber or subscribers, shall die, before he, she, or they shall have compleated the payment of the sum or sums so subscribed by him, her, or them respectively as aforesaid, the executors, administrators, or assigns of such subscriber or subscribers, or of such assignee or assignees, may compleat the payment within the time aforesaid.

nominees divided in 3 classes,

1st of 40 years and upwards,

2d of 20,

3d under 20,

interest divided in proportion to subscription as nominees in each class die,

the entire interest to him, whose nominee survives the rest in each class,

no distribution in any class, 'till sufficient to pay additional half *per cent.*

subscriptions not compleated in time forfeited,

to national credit,

executors, &c. of those dying before may compleat.

III. And be it further enacted by the authority aforesaid, that in the office of the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies, there be provided

Payments entered in treasury,

vided and kept one or more book or books, in which ſhall be fairly entered the names of all, who ſhall be ſubſcribers, and of all perſons by whoſe hands the ſaid ſubſcribers ſhall pay in any of the ſaid ſums, and alſo of the ſeveral ſums ſo paid, and the time when the ſame are reſpectively paid; the ſaid entry to be made upon payment of the ſaid ſums; and alſo in the ſaid books there ſhall be entered the ſeveral nominees, and the ages of ſuch nominees, for whoſe lives reſpectively the ſaid annuities ſhall be payable, at the times when the ſame ſhall be nominated as aforeſaid; to which books it ſhall be lawful for the reſpective ſubſcribers, their executors, adminiſtrators, and aſſigns from time to time, and at all ſeaſonable hours, to have reſort, and to inſpect the ſame without fee or reward; and the ſaid ſeveral ſubſcribers, or the aſſignee or aſſignees of ſuch ſubſcribers, who ſhall have compleated the payment of the ſums ſubſcribed, as the caſe ſhall happen, and the ſaid nominees, ſhall be deſcribed in the ſaid books by their names and ſirnames, additions, places of abode, and ſuch other deſcriptions as ſhall beſt aſcertain the perſons; and every ſubſcriber, his or her aſſignee or aſſignees, upon compleating the payment of the ſum of one or more hundred pounds, as the caſe ſhall happen, ſhall immediately receive from the officer and officers of his Majeſty's treaſury one or more debenture or debentures, in which ſhall be mentioned and expreſſed the name and ſirname, addition, place of abode, age, and other deſcriptions of the nominee or nominees, and alſo the receipt of the conſideration money for which ſuch ſubſcriber, his, or her aſſignee or aſſignees, ſhall receive one or more annuity or annuities with ſuch benefit of ſurvivorſhip as aforeſaid, during the life or lives of ſuch nominee or nominees, whether ſuch nominee be the ſubſcriber or any other perſon.

and nominees and their ages,

inſpected without fee,

deſcribed as beſt to aſcertain perſons,

debentures on compleating payment, with nominee's deſcription, and a receipt,

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any perſon or perſons intitled to ſuch annuity or annuities as aforeſaid, his, her, or their executors, adminiſtrators, or aſſigns, at any time during the life or lives of his, her, or their reſpective nominee or nominees by any writing under hand and ſeal, or by his, her, or their laſt will in writing, to aſſign or deviſe any one or more ſuch ſhare or ſhares as aforeſaid, payable during the life or lives of ſuch nominee or nominees reſpectively, as the caſe may be, to any perſon or perſons, and ſo toties quoties; and no ſuch aſſignment to be revokeable, ſo as an entry or memorandum of ſuch aſſignment or will be made in books, to be kept for that purpoſe in the office aforeſaid, within the ſpace of two months after ſuch aſſignment

Aſſignable *toties*, by deed or will,

not revokeable,

entered in 2 months,

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assignment or death of the deviſor; and that upon producing ſuch aſſignment or the probate of ſuch will in the office aforeſaid, to be entered as aforeſaid, the party ſo producing ſuch aſſignment ſhall bring therewith an affidavit, taken before ſome perſon authorized to take affidavits in cauſes depending in any of the courts at the city of Dublin, or, in caſe the party aſſigning ſhall not reſide in Ireland, before any perſon duly authorized to take the oath of the party, of the due execution of the ſaid aſſignment; which affidavits ſhall be ſeverally filed in the ſaid office; which ſaid entry or memorandum the ſaid officers of his Majeſty's treaſury are hereby required to make accordingly, and to file the ſaid affidavits; and in default of ſuch aſſignment or deviſe the intereſt of the perſon or perſons intitled to ſuch annuity or annuities ſhall go to his, her, or their executors and adminiſtrators for the life of ſuch nominee or nominees as the caſe may be.

affidavit of due execution produced therewith, & filed,

in default of aſſignment or deviſe to executors or adminiſtrators.

V. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any guardian or truſtee, having the diſpoſal of the money of any infant under the age of twenty one years for the uſe and benefit of ſuch infant, to advance and pay with the approbation of the lord chancellor, lord keeper, or keepers of the great ſeal for the time being for the purpoſes aforeſaid the ſum of one or more hundred pounds of the money of ſuch infant, and thereupon at ſuch time and in ſuch manner, as is herein before appointed for the naming of lives, to name the ſaid infant to be a nominee; and ſuch infant upon payment of the ſaid ſum or ſums ſhall become a ſubſcriber within the meaning of this act, and be intitled to have and receive, during his or her life an annuity with benefit of ſurvivorſhip in ſuch manner and proportion as any other ſubſcriber; and the ſaid guardian or truſtee, as to the ſaid ſum or ſums ſo advanced, is hereby diſcharged, and ſhall be accountable only to the ſaid infant for ſuch annuity or annual intereſt, as he ſhall receive under this act.

Guardian or truſtee for infant under 21 may with lord chancellor's approbation pay, and name ſaid infant, who ſhall be ſubſcriber,

truſt diſcharged as to ſo much,

accountable only for annuity received.

VI. And to the intent and purpoſe that all deceit in receiving any annuity or annuities as aforeſaid may be prevented, and that the advantage of ſurvivorſhip may be fairly had, be it further enacted by the authority aforeſaid, that all and every perſon or perſons intitled to ſuch annuity or annuities as aforeſaid, upon their demanding any half yearly payment of his, her, or their reſpective annuities, unleſs the nominee appear in perſon at the time of demanding ſuch annuity, ſhall, whenever the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their

Certificate of life of nominee produced, if demanded,

their deputy or deputies, shall think proper to demand the same, produce a certificate of the life of his, her, or their respective nominee, signed by the minister, or in his absence by the curate of the parish where such nominee shall be then living, upon the day when the said half yearly payment shall become due, if such nominee shall be then residing in the kingdom of Ireland; which certificate the said minister or curate is hereby required to make without fee or reward; and the said certificate shall be filed in the said office of the vice treasurer or vice treasurers, paymaster, or receiver general, or his or their deputy or deputies, who are hereby authorized and required, whenever he or they shall find it necessary, to examine upon oath, which oath he or they are hereby impowered to administer to any person intitled to an annuity, or any other person whatsoever, touching the existence of any nominee or nominees.

signed by minister or curate where living,

filed,

examination of nominee's existence on oath.

VII. And be it further enacted by the authority aforesaid, that in case any nominee shall at the time of such demand be resident beyond the seas, and any one or more of the barons of the exchequer for the time being shall certify, that upon proof to him or them made, which proof he and they is and are hereby authorized and required to take in a summary way, it doth seem probable to him or them, that the said nominee is living, which certificate is to be given, and examination made, without any fee or charge, the said certificate being filed as aforesaid, shall be a sufficient warrant for payment of the said annuity or annuities half yearly to the persons so respectively intitled to the same.

If beyond sea, a baron's certificate that on summary proof he probably is living, warrant for payment.

VIII. And be it further enacted by the authority aforesaid, that in case any person, who by the intent of this act shall be intitled to receive any annuity or annuities as aforesaid, shall neglect to demand the same in manner aforesaid for the space of three years, he or she shall for ever lose and forfeit the same, as if his or her respective nominee had been dead at the commencement of the said three years.

On 3 years neglect to demand forfeited,

IX. And to the intent that it may appear upon every half yearly payment, unto and amongst what persons, and in what proportions, the said annuities are to be distributed, be it further enacted by the authority aforesaid, that in the said office every half year, within twenty days before the respective days of payment there shall be made up an account of the several nominees, whose deaths are come to knowledge, and of the several persons intitled to such annuities, who shall have made default in making demand as aforesaid.

Half year accounts of nominee's deaths, and of default,

in 20 days before payment.

X. And

On demand knowing the life expired, treble to subscribers in same class suing,

X. And be it further enacted by the authority aforesaid, that if any person shall demand payment of any sum for any life not in being, knowing the same to be expired, the person making such demand shall upon proof thereof forfeit treble the sum so demanded to any of the remaining persons intitled to annuities in the same class, who will sue for the same, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Dublin, in which no essoign, protection, wager of law, or any more than one imparlance shall be allowed; and that in every suit for recovery of the said sum the proof of the existence of such life at the time of such demand shall lie upon the person so demanding the same as aforesaid.

proof of existence on the party.

Payment after nominee's death repaid for subscribers in the class,

XI. And be it further enacted by the authority aforesaid, that if any person shall receive one or more half yearly payment or payments of the said annuity or annuities after the death of any nominee or nominees, for whose life or lives such annuity or annuities was or were payable, it shall be lawful for any person, intitled to an annuity in the class in which such nominee was named, to require the same to be repaid into the office of the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies, for the benefit of the persons intitled to annuities in such class, and in case of refusal or neglect to repay the same within one month after such demand such person so refusing or neglecting shall forfeit treble the sum so received, to be recovered by action of debt, bill, plaint, or information in any of his Majesty's courts of record at the city of Dublin in the name of the person, who shall have made such demand as aforesaid, in which action no essoign, protection, privilege, or wager of law, or more than one imparlance, shall be allowed; and upon the trial of the said action the proof that the nominee or nominees were living at the time such payment or payments so required to be repaid became due and payable as aforesaid, shall be on the person, to whom or for whose benefit the said annuity was so paid.

treble on neglect 1 month,

proof of existence on the party.

Nominee's death certified in a month after notice,

XII. And be it further enacted by the authority aforesaid, that all and every person and persons intitled to such annuity or annuities within one month next after notice of the death of his, her, or their respective nominee or nominees, shall certify such death to the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies for the time being, and shall also within three months after such notice deliver or cause to be delivered up to the said vice treasurer or vice treasurers,

and in 3 months debentures delivered if in the person's power,

surers, paymaster or receiver general, his or their deputy or deputies, the debenture or debentures, by which he, she, or they was or were intitled during the life or lives of such nominee or nominees to receive any annuity or annuities as aforesaid, in case such debenture or debentures be in his, her, or their hands or power; and in default thereof shall forfeit the sum of twenty pounds, to be recovered by action of debt, bill, plaint, or information in manner as aforesaid, and to be paid and received to the use of any person who shall sue for the same.

penalty 20*l.* to prosecutor.

XIII. And be it further enacted by the authority aforesaid, for the better encouraging persons to advance the said sum, not exceeding one hundred and seventy five thousand pounds, upon the terms aforesaid, that all receipts and issues, and all other things directed by this act to be performed in the office of the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies, shall be done and performed by the officers there without demanding or receiving directly or indirectly any fee, gratuity, or reward for the same.

No fee at treasury.

XIV. Provided always, and be it further enacted by the authority aforesaid, that in case the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies, shall make payment of any annuity or annuities as aforesaid upon such certificate, as is before directed, such officer shall not incur any penalty, forfeiture, or disability, or be liable to any action for doing thereof, though the said certificate be forged or false, or the said nominee be dead, unless the said officer did know at the time of such payment, that the said nominee was dead, or that the said certificate was forged or false.

No penalty on paying on forged or false certificate, or nominee being dead, unless knowing.

XV. And be it further enacted by the authority aforesaid, that all and every person and persons residing in the kingdom of Ireland, who shall subscribe one or more hundred pounds towards raising the said sum, not exceeding one hundred and seventy five thousand pounds, his, her, or their assignee or assignees, shall, at or before the time of the nominating the life or lives, during which he, she, or they shall be intitled to receive such annual interest with benefit of survivorship as aforesaid, make oath, or being a quaker solemn affirmation, before some justice of the peace of the county, or county of the city, or county of the town, where such person or persons so nominating shall reside, to the following effect:

Oath by subscriber at or before nominating.

I A. B. *do swear, that to the best of my belief* C. D. *of the parish of in the county of or county of the city,* as to person, *or*

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or county of the town of (as the case shall be) *son or daughter, or reputed son or daughter, of now living or lately living in the parish of in the county of or county of the city or county of the town of the person nominated, is under the age of twenty years, or is of the age of twenty and under the age of forty years, or is of the age of forty years and upwards*, as the case shall be.

abode, and age.

oath of age, where subscriber names his own life.

And if any person intitled as aforesaid shall nominate his or her own life, such person shall make oath or solemn affirmation before any justice of the peace of the county, or county of the city, or county of the town, where such person shall reside, to the effect aforesaid, concerning his or her age respectively; which oath or affirmation, attested by two or more credible witnesses,

oath attested by 2,

shall be delivered to the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies for the time being, to be by him or them filed in the office of the said vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies, before any debenture or debentures

filed before debentures issued,

shall be issued to such person or persons; and if any person or persons so intitled as aforesaid shall not be resident within this kingdom, an affidavit to the like effect to be made before the principal magistrate or magistrates of the place, where the persons so making the same reside, and to be attested by two or more credible witnesses, shall be delivered to the said vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies for the time being, to be by him or them filed in the said vice treasurer or vice treasurers office, before any debenture or debentures shall be issued to such person or persons.

like affidavit before principal magistrate where resident abroad.

Surplus duties by c. 1. applied to said annuities,

XVI. And be it further enacted by the authority aforesaid, that the surplus or exceedings of the aids and duties granted to his Majesty by an act passed in this session, entitled, *An act for granting unto his Majesty the several duties, rates, impositions, and taxes therein particularly expressed, to be applied to pay an interest at the rate of four pounds* per centum per annum *for such part of the several principal sums formerly borrowed, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy five, and for such other purposes as are therein mentioned*, over and above what shall be sufficient to discharge the interest and annuities therein provided for, or so much of such surplus or exceedings as shall be for that purpose necessary, shall be applied to the payment of the several annuities to be granted to the se-

veral ſubſcribers, or their aſſignees, who ſhall advance the ſaid ſum, not exceeding one hundred and ſeventy five thouſand pounds, or any part thereof, as aforeſaid; and that the reſidue of ſuch ſurplus be applied in ſuch manner, as is herein after directed.

reſidue as herein after.

XVII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, from time to time to appoint one or more perſon or perſons to pay in the city of London the annuities granted by this act according to the rate, that money is current for in Ireland, for ſuch ſums as ſhall be ſubſcribed, and for which the perſon intitled to receive ſaid annuity, ſhall at the time of compleating his ſubſcription, declare his intention of receiving his ſaid annuity in the city of London; which ſaid annuities ſhall be paid without any deduction, abatement, or charge whatſoever, either for exchange or otherwiſe.

C. governor may appoint perſons to pay in *London*,

Iriſh currency;

on declared intent to receive in *London*,

no charge for exchange or otherwiſe.

XVIII. And be it further enacted by the authority aforeſaid, that the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, ſhall from time to time out of the duties, rates, impoſitions and taxes, granted for the payment among other things of the ſaid annuities, remit to the perſon or perſons, ſo appointed as aforeſaid, ſums of money ſufficient for the punctual and regular payment of the ſaid annuities in the city of London at the times, herein before appointed for the payment thereof, without any charge, deduction, or abatement whatſoever.

Vice treaſurers to remit to appointees ſufficient for punctual payment,

without deduction,

XIX. And be it further enacted by the authority aforeſaid, that whatever expences ſhall be incurred by ſending or remitting from time to time the ſaid ſeveral annuities from this kingdom to the city of London, and the payment of the ſame there, ſhall be charged upon the ſaid duties, rates, impoſitions and taxes; and whatever profit ſhall be made in the way of exchange by remitting the ſaid ſums, or any of them, ſhall be brought to the credit of the nation.

Expence of remitting charged on ſaid duties,

profit to national credit.

XX. And be it further enacted by the authority aforeſaid, that the perſon or perſons, ſo to be appointed as aforeſaid, may, whenever he or they ſhall think proper to demand the ſame, require from the perſon or perſons intitled to receive the ſaid annuity or annuities in the city of London, unleſs the nominee appear in perſon at the time of demanding the annuity, ſuch certificate of the life of his, her, or their reſpective nominee, ſigned by the miniſter, or in his abſence by the curate of the pariſh, where ſuch nominee ſhall be living, on the day when the half yearly payment

Appointees may require like certificate of nominees life.

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payment shall have become due, in like manner as the vice treasurer or vice treasurers, paymaster or receiver general, his or their deputy or deputies, may do in cases, where the nominee shall reside in the kingdom of Ireland; and the said person or persons, so to be appointed as aforesaid, shall from time to time by all ways and means in his or their power examine touching the existence, and use his or their best endeavours to discover the deaths, of any of the nominees of the person or persons so entitled as aforesaid, and shall immediately after such discovery, communicate the same to the office of his Majesty's treasury in this kingdom.

examine as to existence, &c.

and communicate to treasury.

And once a year transmit account,

XXI. And be it further enacted by the authority aforesaid, that such person or persons, so to be appointed as aforesaid, shall once in every year transmit to the office of your Majesty's treasury in this kingdom an account of all such annuities, as he or they shall pay in pursuance of this act, distinguishing the respective times of payment, and the persons to whom the same have been paid.

distinguishing times and persons.

Fees on said sum accounted for.

XXII. And be it further enacted by the authority aforesaid, that neither the six pence *per* pound, nor any other fee, shall be payable to or be deducted or received by the vice treasurer or vice treasurers, receiver or paymaster general, clerk of the pells, or any other officer or officers of this kingdom, for their own use for or on account of the said sum of one hundred and seventy five thousand pounds, to be raised by life annuities with benefit of survivorship as aforesaid, or for or on account of the payment of any of the said annuities; but that all such fees, as shall arise upon the issuing of the said sum of one hundred and seventy five thousand pounds, or any part thereof, or upon any payment to be made thereout, shall be received and duly accounted for and paid to his Majesty, his heirs and successors.

Surplus duties by 13 and 14 G. 3. c. 2. and 15 and 16 G. 3. c. 1. amounting on 25 Dec. 1775 or 24 June or 25 Dec. 1776. or 1777, to 100000l. loan debentures purchased when at or under par, till the whole expended.

XXIII. Provided always, and be it further enacted by the authority aforesaid, that if the surplus or exceeding of the duties, granted in the last session of parliament by an act, entitled, *An act for granting unto his Majesty the several duties, rates, impositions and taxes therein particularly expressed, to be applied to pay an interest at the rate of four pounds* per cent. per annum, *for such part of the several principal sums formerly borrowed as shall remain unpaid on the twenty fifth of December one thousand seven hundred and seventy three, and to apply the surplus of the said duties in such manner and for such purposes, as shall be directed by parliament*; or granted by an act passed in this present session

session, entitled, *an act for granting unto his Majesty the several duties, rates, impositions, and taxes therein particularly expressed, to be applied to pay an interest at the rate of four pounds* per centum per annum *for such part of the several principal sums formerly borrowed, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy five, and for such other purposes as are therein mentioned*, remaining in the hands of the vice treasurer or vice treasurers, receiver or paymaster general, his or their deputy or deputies, after payment of the several sums appointed to be paid by this or the said recited acts, or any other act now in force in this kingdom, shall on the twenty fifth day of December one thousand seven hundred and seventy five, or any twenty fourth day of June, or twenty fifth day of December, in the year one thousand seven hundred and seventy six, or one thousand seven hundred and seventy seven, amount to the sum of ten thousand pounds or more over and above all interest, annuities, and charges, payable thereout at said time, that the vice treasurer or vice treasurers, receiver or paymaster general, his or their deputy or deputies, shall, as often as such surplus shall so happen, purchase loan debentures therewith, as soon as, and from time to time, whenever they can be procured at or under par, until the whole of such surplus shall be expended therein.

Advertisement of such surplus and for sale of debentures in 12 days,

XXIV. And for rendering the purchase of debentures as aforesaid more easy be it enacted by the authority aforesaid, that the vice treasurer or vice treasurers, receiver or paymaster general, his or their deputy or deputies, shall, whenever such surplus shall so happen, advertise in one or more of the publick news papers the amount thereof, and for all persons desirous of selling debentures to apply and signify the number of the debenture, the name of the present owner, and the value for which it will be sold at the treasury on a day not more than twelve days distant, to be mentioned in said advertisement; and in case on said day there shall not be application sufficient to exhaust the whole of said surplus, then that they or he shall again advertise in like manner, and so to continue to do from time to time for applications to be made on some one day in every successive week, while any part of the said surplus shall remain; and on each of said days so mentioned the vice treasurer or vice treasurers, receiver or paymaster general, his or their deputy or deputies, shall then and there proceed to purchase the debentures, that shall be offered at or under par, until the whole of such surplus be expended; always purchasing first those which shall be offered for

so from time to time,

the lowest first purchased,

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the ſmaller value; and the ſaid vice treaſurer or vice treaſurers receiver or paymaſter general, his or their deputy or deputies are required to cancel immediately every debenture ſo purchaſed; and that the reſidue of any ſurplus, which ſhall remain in the hands of the vice treaſurer unapplied as before directed, ſhall be diſpoſed of in ſuch manner, as ſhall hereafter be appointed by parliament.

purchaſed debentures cancelled,

reſidue diſpoſed by parliament.

CHAP. III.

An act for granting to his Majeſty an additional duty upon the ſeveral goods and merchandizes therein mentioned.

As a further ſupply,

WE your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, as a further ſupply to your Majeſty to ſupport the expences of your Majeſty's government do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted, by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy five until the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven incluſive there ſhall be raiſed, levied, collected, and paid the ſeveral rates and additional duties herein after mentioned (that is to ſay) an additional duty of one ſhilling *per* hundred weight upon all flour, meal, bread, and biſcuit, except of the produce and manufacture of Great Britain, imported into this kingdom; an additional duty of two ſhillings *per* barrel upon all wheat except of the produce of Great Britain, imported into this kingdom, unleſs the middle price of wheat, at the port where the ſame ſhall be imported, ſhall exceed the price of twenty three ſhillings Engliſh *per* barrel at the time of ſuch importation, the ſaid price to be aſcertained as directed by an act of parliament made and paſſed in the twenty ninth year of his late Majeſty king George the ſecond, entitled, *An act for the further encouragement of tillage.*

additional duties to 25 Dec. 1777.

2s. *per* C. on flour, meal, bread, biſcuit (ſave *Britiſh*) imported,

2s. *per* barrel wheat; unleſs middle price where imported exceeds 23s. *Engliſh per* barrel, as by 29 *G.* 2. c. 9.

II. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective additional duties, rates, and impoſitions, hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, at the ſame time, in the like manner, and by ſuch ways, means, and methods, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed for the raiſing, collecting, and paying the duties therein mentioned in and by an act made in this kingdom in the fourteenth and fifteenth years of the reign of his late Majeſty king Charles the ſecond, intitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty his heirs and ſucceſſors according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved as in and by the ſaid act, or any other law or laws now in being relating to the duties of exciſe, is provided.

raiſed as by 14 and 15 C. 2. c. 8. or other exciſe law,

with like appeal.

No fees to officers under this act.

III. And be it further enacted by the authority aforeſaid, that neither the ſix pence *per* pound nor any other fee ſhall be payable to, nor be deducted or received by, the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of

of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for or on account of, the aids hereby granted to his Majeſty, or of any payment to be made in purſuance of this act. A. D. 1775-6.

CHAP. IV.

An act to prevent frauds in obtaining the premiums for flax ſeed imported into this kingdom.

WHEREAS by an act paſſed in the third year of his Majeſty's reign, entitled, *An act for continuing the encouragement given by former acts of parliament to the flaxen and hempen manufactures*, it was among other things enacted, that whoever ſhould import or cauſe to be imported into this kingdom any good and ſound hempſeed or flax ſeed from any of the ports or places for that purpoſe therein mentioned within the ſpace of twenty one years from the end of the then ſeſſion of parliament, and from thence to the end of the then next ſucceeding ſeſſion of parliament, ſhould receive for every hogſhead of ſuch hempſeed or flax ſeed as a premium the ſum of five ſhillings ſterling, to be paid by ſuch officer or officers, and in ſuch manner, as drawbacks are uſually paid; and it was therein alſo provided, that during the ſaid term of twenty one years, and until the end of the then ſucceeding ſeſſion of parliament, every merchant, who ſhould export any hempſeed or flax ſeed, ſhould for every hogſhead thereof ſo exported pay five ſhillings cuſtom to his Majeſty, his heirs and ſucceſſors, unleſs oath ſhould be made, as therein is directed, that the ſame was of the growth of this kingdom: and whereas by an act made in the parliament of Great Britain in the fifteenth year of his Majeſty's reign a further bounty of five ſhillings *per* hogſhead was allowed for and during the ſpace of two years from and after the firſt day of January one thouſand ſeven hundred and ſeventy ſix, and from thence to the end of the then next ſeſſion of parliament, for all flaxſeed imported into the kingdom of Ireland, payable by order of the commiſſioners of his Majeſty's cuſtoms in England, and by the receiver general of the ſaid cuſtoms, in manner therein directed, to the importer or importers thereof upon his or their producing ſuch certificate as is therein required, that the bounty, granted by the above mentioned act made in the parliament of Ireland had been paid and allowed for the ſame: and whereas it is highly incumbent on his Majeſty's ſubjects of this kingdom to prevent the ſaid bounty, ſo graciouſly granted, from being perverted to any purpoſe, other than that for which it was beſtowed,

by 3 *G.* 3. c. 12. ſ. 3 & 4, a premium 5*s.* *per* hogſhead to importer of ſeed, & 5*s.* cuſtom paid by exporter, unleſs oath of *Iriſh* growth,

and by *Britiſh* act 15 *G.* 3. further bounty 5*s.* *per* hogſhead 2 years from 1ſt Jan. 1776, &c. for flax ſeed imported into *Ireland* on certificate of payment of ſaid bounty by 3 *G.* 3. c. 12.

to prevent perverting ſaid bounty from promotion of linen manufacture,

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beſtowed, the promotion and encouragement of the linen manufacture of this kingdom, be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that ſo long as the ſaid further bounty, granted by the ſaid act of the Britiſh parliament, ſhall continue and remain payable, every merchant, who ſhall export any flax ſeed from this kingdom, ſhall for every hogſhead thereof ſo exported pay a further duty of five ſhillings and ſix pence cuſtom to the King, his heirs and ſucceſſors, over and above the duty granted by the ſaid act of the third of his Majeſty's reign, unleſs oath be made before the commiſſioners, ſubcommiſſioners, or officer of the port where ſuch flax ſeed ſhall be exported, that the ſame was of the growth of this kingdom.

ſo long as ſaid further bounty by *G. Britain* continued, exporter of flax ſeed ſhall pay further 5s. 6d. *per* hogſhead cuſtom above the duty by 3 *G.* 3. c. 12. unleſs oath of *Iriſh* growth.

II. And be it further enacted by the authority aforeſaid, that every perſon exporting or attempting to export any foreign flax-ſeed from this kingdom without paying the ſaid duties of five ſhillings, and five ſhillings and ſix pence, ſhall forfeit all ſuch flax ſeed, and alſo the ſum of twenty ſhillings *per* hogſhead for all ſuch flax ſeed ſo exported or attempted to be exported; one moiety of ſuch flax ſeed and of ſuch penalty to go to his Majeſty, his heirs and ſucceſſors, and the other moiety to the perſon who ſhall give information of the ſame.

Foreign ſeed, exported without paying ſaid duties, forfeited, and 20s. *per* hogſhead, to king & informer.

III. And be it further enacted by the authority aforeſaid, that no perſon ſhall be entitled to receive the ſaid premium granted by the ſaid act made in the third year of his Majeſty's reign, or to obtain any certificate, that ſuch bounty has been paid, until he ſhall make oath before the collector of the cuſtoms in the port, where ſuch ſeeds ſhall be imported, expreſſing the name of the country and port from whence, he believes, the ſame was imported, and that he verily believes, the ſame is ſound and good, and of the growth of the ſummer then next preceding, and that the ſame has been imported for the purpoſe of being ſowed, and is fitting for that purpoſe, and that the ſame has not been imported for the uſe of any manufacturer of oil, or for the purpoſe of being converted into oil, or of being exported out of this kingdom.

No premium under 3 *G.* 3. c. 12. till oath of country and port whence, ſound and good, laſt ſummer's growth, for ſowing, and not for oil or export.

IV. Provided always, that any perſon, who ſhall wilfully and corruptly make any falſe oath contrary to the true intent and meaning of this act, ſhall for every ſuch offence forfeit the ſum of one hundred pounds, to be payable to and recovered by any perſon who ſhall ſue for the ſame, and ſhall be ſubject to all ſuch

On falſe oath 100l. to proſecutor, and puniſhment for perjury.

penalties and punishments as persons are subject to, who are convicted of wilful and corrupt perjury. A. D. 1775-6.

CHAP. V.

An act for allowing further time to persons in offices or employments to qualify themselves pursuant to an act, entitled, *An act to prevent the further growth of popery*.

Indemnity on qualifying pursuant to 2 Ann c. 6. by 1st Aug. 1776.

WHEREAS several persons, well affected to his Majesty's government and the church of Ireland as by law established, may have through ignorance neglected, or been prevented by sickness, or other unavoidable causes, from taking and subscribing the oaths, and making and subscribing the declaration, and from receiving the sacrament of the Lord's Supper, according to the directions of an act made in this kingdom in the second year of the reign of her late Majesty queen Ann, entitled, *An act to prevent the further growth of popery*, and may thereby have incurred great penalties: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that all and every person or persons, who have incurred any penalties or incapacities in the said act, entitled, *An act to prevent the further growth of popery*, mentioned, by neglecting to qualify themselves according to the said act, shall be and are hereby indemnified, freed, and discharged of and from all incapacities, disabilities, forfeitures, and penalties, incurred by reason of such omission or neglect as aforesaid; and that no act or acts done by them, or any of them, and not yet avoided, shall be questioned or avoided by reason of such neglect or omission; but all such acts shall be and are hereby declared and enacted to be, as good and effectual, as if all and every such person and persons had taken and subscribed the said oaths, and received the said sacrament, and made and subscribed the said declaration, in manner as aforesaid, any thing in the said act to the contrary notwithstanding: Provided such person or persons do and shall take and subscribe the said oaths, and receive the said sacrament, and make, repeat, and subscribe the said declaration, in such manner and form, and in such place and places, as are directed and appointed by the said act to prevent the further growth of popery, on or before the first day of August which shall be in the year of our Lord one thousand seven hundred and seventy six.

extended to 1st July 1778 by 16 G. 3. c. 11.

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Officers in army, qualifying in *G. Britain*, not obliged thereto on arrival here.

II. And whereas ſeveral of his Majeſty's ſubjects are often preferred in the army, while they are reſiding in Great Britain, by which they are by the laws in force in that kingdom obliged to qualify themſelves in ſome part of Great Britain by receiving the ſacrament, taking the oaths, and ſubſcribing the declaration, within the time mentioned in ſuch laws: and whereas the regiment or regiments, in which ſuch officer or officers have commiſſions ſo granted to them, are often ordered into this kingdom, and put upon this eſtabliſhment, by which a doubt has ariſen, whether ſuch officer or officers, notwithſtanding his or their having qualified themſelves in Great Britain for ſuch commiſſion according to the ſaid laws, are not by the ſaid laws in force in this kingdom obliged to qualify themſelves after their arrival here for ſuch commiſſions according to an act of parliament, paſſed in this kingdom in the ſecond year of the reign of her late Majeſty queen Ann, entitled, *An act to prevent the further growth of popery*: be it enacted by the authority aforeſaid, that no officer or officers ſo preferred in Great Britain, who ſhall have qualified him or themſelves for ſuch commiſſion or commiſſions according to and within the time limited by the ſaid laws made in Great Britain, ſhall be obliged to qualify him or themſelves in this kingdom for ſuch commiſſion or commiſſions, ſo granted to him or them in ſuch regiment or regiments after their arrival in this kingdom, and being put upon this eſtabliſhment; any law, uſage, or cuſtom to the contrary notwithſtanding

Not to reſtore office already avoided.

III. Provided always that this act, or any thing herein contained, ſhall not extend to reſtore or entitle any perſon or perſons to any office or employment, already actually avoided by judgment in any of his Majeſty's courts of record, or already filled up by any other perſon, but that ſuch office or employment ſhall be and remain in the perſon and perſons, who is or are, or hereafter may become, entitled by law to the ſame, as if this act had never been made.

A. D. 1775-6.

CHAP. VI.

An act to explain and amend an act passed last sessions of parliament, entitled, *An act for amending the road from Dundalk to Dunleer in the county of Lowth.*

WHEREAS by an act passed in the last sessions of parliament for amending the road from Dundalk to Dunleer in the county of Lowth the trustees mentioned in said act are not permitted to receive tolls from persons travelling on said road, except at such gate as shall be erected by their order between the white house of Lurgan Green and the road from Lurgan Green to Ardee through the commons of Drumiskin by the lands of White Rath, and from thence to the great road from Ardee to Dundalk, by which means many persons travelling from Dundalk to Dunleer pass through said commons of Drumiskin without paying toll at said gate, to the very great diminution of the tolls necessary for the repair of said road: therefore be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that for amending the road from the house of Mathew Cassidy in the bridge ward of Dundalk to the town of Dunleer aforesaid it shall and may be lawful for the trustees mentioned in said act, or any seven or more of them (from the passing of this act) to authorize such person or persons, as they shall appoint, to erect one or more gate or gates, turnpike or turnpikes, in, upon, or across any part or parts of the said road from Dundalk to Dunleer, between the road leading from said turnpike road to the house formerly inhabited by Mr. James Matthews deceased in Haggardstown and the said white house of Lurgan Green, and also a toll house or toll houses, and there to demand, receive, and take the tolls and duties, which the said trustees are empowered to take by the said act at the gate now erected upon said road during the term mentioned in said act.

13 & 14 G 3. c. 30.

7 Trustees may erect other turnpikes from *Dunleer* to *Dundalk*.

CHAP.

A. D. 1775-6.

CHAP. VII.

An act to amend an act passed in the third year of his present Majesty, entitled, An act for continuing the encouragement given by former acts of parliament to the flaxen and hempen manufactures.

3 G. 3. c. 12. § 3.

WHEREAS by an act passed in the third year of his present Majesty, entitled, *An act for continuing the encouragement given by former acts of parliament to the flaxen and hempen manufactures*, it is enacted, that whoever should import or cause to be imported into this kingdom any good and sound hemp seed or flax seed from any port in Russia, Sweden, Denmark, Poland, Prussia, Germany, or any port on the Baltick sea, or within the Sound, or from Hamburgh or Altena, or any of the English plantations in America, within the space of twenty one years from the end of the then session of parliament, and from thence to the end of the then next succeeding session of parliament, should receive for every hogshead of such hemp seed or flax seed as a premium the sum of five shillings sterling, to be paid by such officer or officers, and in such manner, as drawbacks are usually paid: and whereas it is found necessary and expedient at this time for the more effectual encouragement of the importation of hemp seed and flax seed into this kingdom to grant a like bounty of five shillings a hogshead for all good and sound hemp seed and flax-seed imported into this kingdom from the United Provinces, or from the Austrian Netherlands, as well as from the said several other countries mentioned in the said act: therefore be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that a bounty of five shillings shall be paid for every hogshead of good and sound hemp seed or flax seed of the growth of the United Provinces, or of the Austrian Netherlands, and imported from thence into this kingdom, to the person or persons who shall so import or cause the same to be so imported into this kingdom; and that such bounty shall continue to be paid from the first day of January next until the first day of May in the year one thousand seven hundred and seventy eight, subject however to the several clauses, regulations, and restrictions contained in the said act concerning the bounties therein given and provided.

bounty 5*s.* per hogshead for hemp or flax seed of *United Provinces*, or *Netherlands* imported, to 1st May 1778, as by 3 *G.* 3. c. 12. to 1st *May* 1780, by 17 & 18 *G.* 3. c. 7.

CHAP.

A. D. 1775-6.

CHAP. VIII.

An act for granting unto his Majesty an additional duty on the several commodities, goods, and merchandizes therein mentioned, and for prohibiting the importation of all gold and silver lace, and of all cambricks and lawns, except of the manufacture of Great Britain.

Explained, c. 10.

WE your Majesty's most dutiful and loyal subjects, the commons of Ireland in parliament assembled, having a just sense of your royal care for the prosperity of all your subjects, and well knowing that the security of this realm, and the continuance of the many blessings we enjoy under your Majesty's mild and auspicious reign, depend on the support of your Majesty's government: and whereas twelve thousand effective men, commission and non commission officers included, are necessary to be maintained within this kingdom for its defence: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that three thousand and forty six men, commission and non commission officers included, which have been raised in pursuance of an act of parliament passed in this kingdom in the session of one thousand seven hundred and sixty nine, be continued for two years from the first day of January one thousand seven hundred and seventy six to the thirty first day of December one thousand seven hundred seventy seven inclusive, so as that the forces on the establishment in this kingdom may amount to fifteen thousand and forty six effective men, commission and non commission officers included.

12000 effective men, officers included, necessary for defence,

3046, officers included, raised pursuant to 9 *G.* 3. c. 2, continued from 1st Jan. 1776, to 31 Dec. 1777, establishes forces 15046, officers included.

II. And in order to enable your Majesty to carry into execution your Majesty's gracious intentions and determined resolution, signified to us by his excellency the late lord lieutenant, by your Majesty's command, to keep within this kingdom for the necessary defence of the same twelve thousand effective men, commission and non commission officers included, at all times, unless in cases of invasion or rebellion in Great Britain, and to defray the other necessary expences of your Majesty's government, we do most humbly beseech your Majesty that it may be enacted, and be it enacted by the authority aforesaid, that from and after the twenty fifth day of December one thousand seven hundred and seventy five until the twenty fifth day of December which shall be in the year one thousand seven hundred and seventy seven inclusively, and no longer, there shall be throughout his Majesty's kingdom of Ireland granted, raised, collected, levied, and paid to his Majesty, his heirs and successors, the several rates, additional duties, and impositions herein after mentioned, that is to say, for and upon every thirty-two gallons of beer or ale above the price of six shillings the barrel, brewed within this kingdom by any common brewer, or in his vessels, or by any other person or persons who doth, or do, or shall sell or tap out beer or ale publickly or privately (such gallon to contain two hundred and seventy-two cubical inches, and one fourth part of a cubical inch) the sum of two shillings, to be paid by the common brewer, or by such other person or persons respectively, who shall brew, sell, or tap out the same, and so proportionably for a greater or lesser quantity; and for every thirty-two gallons of beer or ale of the price of six shillings the barrel, or under, brewed within this kingdom by any common brewer, or in his vessels, or by any other person or persons who doth, or do, or shall sell or tap out beer or ale publickly or privately (each gallon to contain two hundred and seventy-

To keep 12000 for necessary defence at all times, unless invasion or rebellion in *G. Britain*,

and for other necessary expences,

additional duties to 25 Dec. 1777,

on beer or ale above 6s. *per* barrel 2s. 32 gallons, 272 inches 1-4th *per* gallon,

of 6s. *per* barrel, or under, 4d.

two cubical inches, and one fourth part of a cubical inch) the sum of four pence, to be paid by the common brewer, or such other person or persons respectively, who shall brew, sell, or tap out the same during the time aforesaid, and so proportionably for a greater or lesser quantity; for every gallon of *aquavitæ*, strong waters, or spirits made or distilled within this kingdom for sale, the sum of four pence, to be paid by the first maker or distiller thereof during the time aforesaid; for every pound weight of tobacco, that shall be imported into this kingdom during the time aforesaid, the sum of three pence halfpenny; for every yard of muslin, that shall be imported into this kingdom during the time aforesaid, the sum of six pence; for every yard of all sorts of silks and stuffs made or manufactured in Persia, China, or the East Indies, that shall be imported into this kingdom during the time aforesaid, the sum of one shilling and six pence; for every ton of wine that shall be imported into this kingdom during the time aforesaid the sum of four pounds, and so proportionably for a greater or lesser quantity; for every gallon of brandy, strong waters, and spirits perfectly made, and of spirits made and distilled of wine not above proof, that shall be imported into this kingdom during the time aforesaid, the sum of eight pence, and so proportionably for a greater or lesser quantity; and for every gallon of foreign spirits (above the quality of single spirits) which shall be imported into this kingdom during the time aforesaid, an additional duty shall be paid for such spirits, and shall be charged thereon, in proportion to the duties payable for single spirits of the same denomination, according to the comparative degree of strength which such spirits so to be imported shall bear to single spirits of the same denomination; for and upon every pound weight of coffee, chocolate, and cocoa nuts, that shall be imported into this kingdom during the time aforesaid, the sum of three pence; a tax of one shilling *per* barrel upon all herrings that shall be imported into this kingdom (except British herrings) during the time aforesaid; an additional duty of twenty shillings sterling on every hundred weight of molasses; an additional duty of twenty shillings sterling on every hundred weight of treacle; an additional duty of six pence *per* yard for and upon all foreign stuffs, called romals, and all manufactures made of cotton, or of cotton and linen mixed, whether plain, painted or stained, which shall be imported into this kingdom during the time aforesaid from any parts beyond the seas (except the manufacture of Great Britain); an additional duty of six pence *per* hide for and upon every raw and untanned hide which shall be exported out of this kingdom to parts beyond the seas (except to Great Britain) during the time aforesaid; an additional duty of one shilling upon every rheam of writing or printing paper which shall be imported into this kingdom during the time aforesaid (except of the manufacture of Great Britain); an additional duty of six pence *per* yard over and above the present duties on all damask towelling or napkins made of flax or hemp imported into this kingdom from foreign parts, or from any other place than Great Britain, during the time aforesaid, at or under a yard wide, and of one shilling *per* yard on all such goods from six quarters to eight quarters wide, and of two shillings *per* yard on all such goods from eleven quarters to twelve quarters wide.

aquavitæ, strong waters, spirits, 4d. *per* gallon,

tobacco imported $3\frac{1}{2}$d. *per* lb.

muslin 6d. *per* yard,

silks, stuffs, of *Persia*, &c. 1s. 6d.

wine 4l. *per* ton,

brandy, waters, spirits perfect, not above proof 8d. *per* gallon,

spirits above single charged in proportion to duties for single of same denomination,

coffee, chocolate, cocoa, 3d. *per* lb.

herrings (save *British*) 1s. *per* barrel,

molasses, treacle, 20s. *per* 100l.

romals, cottons (save *British*) 6d. *per* yard,

raw hides, except to *Britain*, 6d.

paper, save *British*, 1s. *per* rheam,

towelling, except from *G. Britain*, 6d. *per* yard,

from 6 to 8 quarters, 1s.

11 to 12. 2s.

III. And be it further enacted by the authority aforesaid, that the six pence *per* pound, and all other fees which shall or may be payable to the vice treasurer or vice treasurers, paymaster or receiver general of this kingdom, upon issuing or payment of any sum or sums which shall or may arise out of the aids herein before particularly mentioned, shall be received by the said vice treasurer or vice treasurers, receiver or paymaster general, for the use of his Majesty, his heirs and successors, during the time aforesaid, and shall be duly accounted for by him or them to his Majesty, his heirs and successors, as a further additional aid hereby given and granted for the further support of his Majesty's government.

Fees accounted for as further aid.

IV. And be it further enacted by the authority aforesaid, that the several further additional rates, duties, and impositions herein after mentioned, shall be granted,

Further additional duties to 25 Dec. 1777,

granted, raiſed, levied and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy five to the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven incluſively, that is to ſay, a further additional duty of four pounds thirteen ſhillings and four pence *per* ton for and upon all French wines; a further additional duty of ſix pounds *per* ton for and upon all wines of the growth of Portugal; and a further additional duty of four pounds eleven ſhillings *per* ton for and upon all Rheniſh wines, and all other wines (except Spaniſh wines) which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame, and ſo proportionably for a greater or leſſer quantity; a further additional duty of ſix pence *per* gallon for and upon all brandy, geneva, and other ſpirits, that ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy five to the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven incluſively, (except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America) over and above all other duties now payable for the ſame; a further additional duty of ten ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one; and of twenty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels which any perſon ſhall keep exceeding that number, except hackney and ſtage coaches, and coaches kept by coach makers for ſale; and alſo an additional duty of ten ſhillings on all chaiſes with two wheels which any perſon ſhall keep in his or her poſſeſſion (except hackney chaiſes and chaiſes kept by the makers for ſale) from the twenty fifth day of December one thouſand ſeven hundred and ſeventy five to the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſix incluſively, over and above all other duties now payable for the ſame; a further additional duty of ten ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one; and of twenty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep exceeding that number (except hackney and ſtage coaches, and coaches and other ſuch carriages with four wheels as aforeſaid, kept by coachmakers for ſale); and alſo an additional duty of ten ſhillings on all chaiſes with two wheels, which any perſon ſhall keep in his or her poſſeſſion (except hackney chaiſes, and chaiſes kept by the makers for ſale) over and above all other duties now payable for the ſame, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſix to the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven incluſively.

French wine 4l. 13s. 4d. *per* ton,

Port, 6l.

Rheniſh and others, except *Spaniſh*, 4l. 11s.

ſpirits imported, except of ſugar colonies, 6d. *per* gallon,

one 4 wheel carriage 10s. if more 20s. each, except hackneys, &c. 2 wheel chaiſes, 10s.

to 25 Dec. 1776,

and 25 Dec. 1777.

V. And be it further enacted by the authority aforeſaid, that the ſeveral further additional rates, duties, and impoſitions herein after mentioned, ſhall be granted, raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy five to the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven incluſively, that is ſay, a further additional duty of four pence *per* gallon for and upon all *aquavitæ*, ſtrong waters, or ſpirits made or diſtilled within this kingdom for ſale, to be paid by the firſt maker or diſtiller thereof; a further additional duty of four pence *per* gallon for and upon all rum or other ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy five to the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven incluſively; a further additional duty of ſix pence *per* gallon for and upon all brandy, geneva, or other ſpirits, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy five to the twenty fifth day of December one thouſand

Further additional duties to 25 Dec. 1777,

ſtrong waters, ſpirits diſtilled for ſale 4d. *per* gallon,

rum or ſpirits of colonies, 4d.

brandy, geneva, or other ſpirits imported 6d.

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thousand seven hundred and seventy seven inclusively, except spirits of the growth and produce of his Majesty's sugar colonies in America.

Certificate of carriages to collector in 3 months, with abode,

VI. And be it further enacted by the authority aforesaid, that for the better collecting the said duty chargeable on every person who shall keep any carriages with four wheels or two wheels (except as before excepted) every person, who from and after the said twenty fifth day of December one thousand seven hundred and seventy five shall have or keep any coach, chariot, berlin, calash, or chaise with four wheels, or chaise with two wheels, shall within three calendar months after the said twenty fifth day of December one thousand seven hundred and seventy five, or within three calendar months after he or she shall have or keep any such coach, chariot, berlin, calash, or chaise with four wheels, or chaise with two wheels, by writing under his or her hand certify to the collector of excise in some one of the districts, where he or she shall reside or dwell, within the time aforesaid, a true account of every such coach, chariot, berlin, calash, and chaise with four wheels, and chaise with two wheels, which he or she shall have or keep (except hackney or stage coaches, and coaches kept by coach-makers for sale,) and (except hackney chaises and chaises with two wheels, kept by the makers for sale, with the name of the place and parish of his or her residence or abode at the time of giving such certificate, which said certificate shall be kept by the respective collectors of the several districts in this kingdom for the time being, and shall be also entered or registered in an alphabetical book to be by them respectively kept for that purpose, and a copy of such entry, signed by such collector or his clerk, shall be delivered, if required, without any fee or reward, to the person delivering such certificate, and a number shall be entered on each certificate so registered; and that the said collectors respectively shall under their hands on or before the twenty fifth day of December in every year, give a true list of all coaches, chariots, berlins, calashes, and chaises with four wheels, and all chaises with two wheels, from time to time returned to them respectively in such certificates, with the names of the persons and places of their abode, respectively mentioned in such respective certificates, to the persons who for the time being shall be appointed by the commissioners of his Majesty's revenue of excise, or any three of them, to collect and receive the said duties; and that such persons, as shall be appointed by the said commissioners of excise, or any three of them, to collect and receive the said duties on coaches, chariots, berlins, calashes, and chaises with four wheels, and chaises with two wheels, shall have full power and authority to levy, collect, and receive the same within the district, where the certificate shall be entered, in the same manner as his Majesty's revenue arising from fire hearths is now by law levied, collected, and received, and shall respectively sign and deliver acquittances without fee or reward for the same, and shall keep duplicates thereof in a book to be kept for that purpose, in the same manner as acquittances are given and kept for the duty of fire hearths, and shall respectively return the book containing the duplicates of such acquittances to such person and persons, and at the same time, and to be disposed of in the same manner, as books containing the duplicates of acquittances for the said duty on fire hearths are returned; and that the duties aforesaid shall be paid in the respective districts, wherein the said carriages shall be entered or registered respectively, and in no other.

registered alphabetically and numbered,

yearly lists returned to receiver of duty,

levied in district, where certified, as hearth money,

acquittance without fee, duplicates booked and returned,

duty paid only in district where registered.

Not certifying carriage, penalty 20l. as by 24 & 25 *G.* 3. c. 8.

VII. And be it further enacted by the authority aforesaid, that if any person or persons shall have or keep any coach, chariot, berlin, calash, or chaise with four wheels, or chaise with two wheels, chargeable with the said respective duties by virtue of this act, which shall not be certified in manner as aforesaid, then and in such case every such person and persons, so having or keeping such coach, chariot, berlin, calash, or chaise with four wheels, or chaise with two wheels, not certified as aforesaid, shall for such neglect forfeit the sum of twenty pounds, to be sued for, recovered, levied, and applied in such manner and form, and by such ways and methods, as are prescribed and appointed for the suing, recovering, levying, and applying forfeitures and penalties in and by an act of parliament made

and

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and passed in the fourteenth and fifteenth years of the reign of King Charles the second, intituled, *An act for the settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted.*

Possessor charged as owner.

VIII. Provided nevertheless, that every person, (except as before excepted) having in his or her keeping or possession any coach, chariot, berlin, calash, or chaise with four wheels, or chaise with two wheels, belonging to another person, shall be charged for every such coach, chariot, berlin, calash, or chaise with four wheels, or chaise with two wheels, with the said duty imposed by this act, in the same manner as the owner or proprietor thereof is or ought to be charged or chargeable for the same by this act.

Paid to collector of district,

IX. And be it further enacted by the authority aforesaid, that the person or persons, who for the time being shall be authorized and impowered to collect and levy the said duty on coaches, chariots, berlins, calashes, and chaises with four wheels, and chaises with two wheels, shall pay the same to the said collectors of the several districts, where the said duties shall be collected and raised; and that the said collectors shall keep separate and distinct accounts thereof, and pay the same into his Majesty's treasury, as other money received by them for the use of his Majesty.

separate accounts kept, paid to treasury.

Certifying 4 wheeld not charged with 2 wheeled,

X. Provided always, that nothing in this act shall extend or be construed to extend to charge any person or persons, who shall keep and certify to the said collector of excise in manner above mentioned any coach, chariot, berlin, calash, or chaise with four wheels, with the said additional duty of ten shillings, chargeable upon chaises with two wheels, nor to charge any cabriolet or garden chair, or to oblige such person or persons to make any entry of any such chaises with two wheels, or of such cabriolet or garden chair.

nor Cabriolets unless wheels above 4 feet diameter, c. 15. s. 13.

Said duties raised and paid as by 14 & 15 C. 2. c. 8, & 9.

XI. And be it further enacted by the authority aforesaid, that all and every the several and respective additional duties, and further additional duties, rates, and impositions, hereby granted, shall be raised, answered, levied, collected, and paid unto his Majesty, his heirs and successors, during the time aforesaid, over and above all other duties payable by virtue of an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the second, intituled, *An act for the settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted*, or by virtue of one other act made in the fourteenth and fifteenth years of the reign of the said King Charles the second, intituled, *An act for settling the subsidy of poundage, and granting a subsidy of tonnage, and other sums of money, unto his royal Majestie, his heirs and successors, the same to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland according to the book of rates hereunto annexed.*

6d. *per* l. and all other fees on payment received and duly accounted for.

XII. And be it further enacted by the authority aforesaid, that the six pence *per* pound, and all other fees which shall or may be payable to the vice treasurer or vice treasurers, receiver or paymaster general, clerk of the pells, or any other officer or officers of this kingdom, upon issuing or payment of any sum or sums of money, which shall or may arise out of the aforesaid duties hereby granted, and herein after particularly mentioned, that is to say, the aforesaid duty of four pounds thirteen shillings and four pence *per* ton for and upon all French wines, the aforesaid sum of six pounds *per* ton for all wines of the growth of Portugal, the said duty of four pounds eleven shillings *per* ton for all Rhenish wines, and all other wines except Spanish wines, the aforesaid duty of six pence *per* gallon on all brandy, geneva, and all other spirits, except spirits of the growth and produce of his Majesty's sugar colonies in America, the aforesaid duties on coaches, chariots, berlins, calashes, or chaises with four wheels or chaises with two wheels, the aforesaid further additional duty of four pence *per* gallon on all *aquavitæ*, strong waters, or spirits made within this kingdom for sale, the aforesaid further additional duty of four pence *per* gallon on all rum or other spirits of the growth and produce of his Majesty's sugar colonies in America, the aforesaid further additional duty of six pence *per* gallon on all brandy, geneva, or other spirits, except spirits of the

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growth and produce of his Majesty's sugar colonies in America, shall be received by the said vice treasurer or vice treasurers, receiver or paymaster general, for the use of his Majesty, his heirs and successors, during the time aforesaid, and shall be duly accounted for by him or them.

Drawback on all said duties charged on importation, *and on spirits and strong waters distilled here, by* c. 15. *s.* 22.

XIII. Provided always, and be it further enacted by the authority aforesaid, that if the said wines or other goods and merchandizes herein before mentioned, upon which the said additional duties and further additional duties, hereby granted, are charged upon the importation thereof, shall after payment thereof, or security given for the same, be again exported by any merchant or merchants, that is or are a subject or subjects of this realm, or any other of his Majesty's dominions, within twenty four calendar months, or by merchant strangers within twelve calendar months, after the importation thereof, and due proof first made by certificate from the proper officer of the due entry and payment of the said additional duties and further additional duties hereby granted and charged thereon, or security being given for the same, and that all other requisites have been performed, which are by law required to be performed in those cases, where the duties of excise are to be repaid by virtue of the before mentioned act, intituled, *An act for the settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted*, that then the said additional duties and further additional duties hereby imposed shall without any delay or reward, if the same shall have been paid, be repaid or allowed unto such merchant or merchants so exporting the same, within one month after demand thereof; or if the same shall not have been paid, the security for the said additional duties and further additional duties, by this act charged, shall be vacated or discharged, as to so much thereof as shall be so exported; any thing herein contained to the contrary notwithstanding.

24 months to subjects, 12 to strangers,

on performing requisites by 14 & 15 *C.* 2. c. 8.

Duties on, coffee, &c. to linen manufacture,

XIV. And be it further enacted by the authority aforesaid, that the additional rates and duties hereby granted and imposed on coffee, chocolate, and cocoa nuts, and all monies arising thereby, shall be paid to the trustees appointed for the management of the hempen and flaxen manufactures of this kingdom, to be by them applied to encourage and support the said manufactures, and the trade thereof in this kingdom; and that the said additional duties on raw and untanned hides, and all money arising thereby, shall be paid to the said trustees, to be by them applied towards encouraging the raising of flax seed in this kingdom.

on raw hides to raising flax seed.

Duties levid as by 14 & 15 *C.* 2. c. 8. or other excise law with like appeal.

XV. And be it further enacted by the authority aforesaid, that all and every the several and respective duties, rates, and impositions, hereby granted, shall be raised, answered, collected, and paid unto his Majesty, his heirs and successors, during the term aforesaid, at the same time, in like manner, and by such ways, means, and methods, and by such rules and directions, and under such penalties and forfeitures, and with such powers, as are appointed, directed, and expressed for the raising, answering, collecting and paying of duties in and by the said act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the second, intituled, *An act for the settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted*, or by any other law now in force relating to the revenue of excise in this kingdom, as fully and effectually to all intents and purposes as if the same were particularly mentioned, expressed, and enacted again in the body of this present act, with like remedy of appeal to and for the party grieved, as in and by the said act of excise, or any other law or laws now in being relating to the duties of excise, is provided.

Separate accounts kept,

weekly abstracts to accountant general,

XVI. Be it further enacted by the authority aforesaid, that from and after the said twenty fifth day of December one thousand seven hundred and seventy five a separate and distinct account shall be kept by the proper officer or officers of the several sums arising from the aforesaid several aids, duties, and taxes hereby granted as aforesaid; and that the commissioners of his Majesty's revenue shall return their weekly abstracts from the several collectors to the accountant general,

and that the accountant general shall return a separate account of the aforesaid sums arising from the said aids, duties, and taxes hereby granted to the vice treasurer or vice treasurers, his or their deputy or deputies; and that every collector or receiver do take a separate receipt for the same, when paid into his Majesty's treasury; which said receipt the said vice treasurer or vice treasurers, his or their deputy or deputies, is and are hereby required to give accordingly.

Separate returns to vice treasurers, separate receipts on payment.

XVII. And be it further enacted by the authority aforesaid, that the several sums herein after mentioned be paid out of the aforesaid additional duties and aids granted to his Majesty by this present act to the persons and for the purposes herein after mentioned, that is to say, the sum of four thousand pounds to the right honourable the speaker of the house of commons to enable him to maintain the state and dignity of his office; the sum of two thousand pounds *per annum* for two years from the twenty fifth day of December one thousand seven hundred and seventy five to the twenty fifth day of December one thousand seven hundred and seventy seven inclusively to the trustees appointed for the management of the hempen and flaxen manufactures of this kingdom, to encourage the raising sufficient quantities of hemp and flax in this kingdom; and also the further sum of two thousand pounds *per annum* for two years from the twenty fifth day of December one thousand seven hundred and seventy five to the said twenty fifth day of December one thousand seven hundred and seventy seven inclusively to the said trustees appointed for the management of the hempen and flaxen manufactures of this kingdom for the encouragement of the said hempen and flaxen manufactures in the provinces of Leinster, Munster, and Connaught; and that the said several sums, so granted to the said trustees of the flaxen and hempen manufactures, be freed and discharged from the payment of six pence *per* pound, and all other fees which shall or may be payable to the vice treasurer or vice treasurers, receiver or paymaster general of this kingdom, clerk of the pells, or any other officer or officers of this kingdom; the sum of five hundred pounds to Agmondisham Vesey, esquire, accountant general, as a reward for his expence and trouble in preparing and stating the publick accounts of the nation, laid before the house of commons this session of parliament; the sum of three hundred pounds to Henry Gore esquire, as a reward for his expence and trouble in preparing and making out the account of the imports and exports for two years, ended the twenty fifth day of March one thousand seven hundred and seventy five, pursuant to the order of the house of commons; the sum of five hundred pounds to Edward Sterling and Henry Alcock esquires, clerks of the house of commons, as a reward for their attendance and service this session of parliament; the sum of three hundred pounds to Mr. Benjamine Higgins clerk assistant as a reward for his attendance and service this session of parliament; the sum of one thousand pounds to Dixie Coddington, esquire, serjeant at arms, as a reward for his attendance and service this session of parliament; the sum of three hundred and fifty pounds to George Melvin and George Frederick Winstanley, the clerks attending the committee of accounts and other committees of the house of commons, as a reward for their attendance and service this session of parliament, to be equally divided between them; the sum of one hundred and twelve pounds to Abraham Bradley for printing the publick accounts laid before the house of commons this session of parliament; the sum of fifty pounds to Hulton Bradley as a reward for his trouble and attendance in delivering the votes to the members of the house of commons this session of parliament; the sum of one hundred pounds to James Mc Cowen and George Harper, door keepers to the house of commons, as a reward for their attendance and service this session of parliament, to be equally divided between them; the sum of two hundred pounds to the right honourable the speaker of the house of commons, to be by him divided amongst the backdoor keepers and messengers attending the house of commons (being thirteen in number) in such manner as he shall direct; the sum of fifty pounds to Mr. George Frederick Winstanley for his extraordinary trouble during his attendance on the committee of accounts; the sum of

Payments out of said additional duties and aids.

A. D. 1775-6. Chap. 8.

of two hundred pounds to Mr. John Wetherall, assistant examinator of customs, for his extraordinary trouble in making up the several accounts by him laid before the house of commons, and in attending this session of parliament; the sum of three hundred and eighty seven pounds one shilling and eleven pence three farthings to Elizabeth Coogan widow, in consideration of her losses by pulling down her house near the old bridge, in order to widen the passage from the Inns Quay to Arran Quay; the sum of nine hundred and fifty five pounds ten shillings to Abraham Bradley, printer, the cost of fifteen sets of the journals of the house of commons, in thirteen volumes, with the appendix and index, delivered to fifteen members who had not before received them, and for printing and binding five hundred copies of the sixteenth volume of the journals, pursuant to the orders of the house of commons; the sum of three hundred pounds to William Horton, examinator of corn premiums, on account of the great increase of his trouble in examining and keeping accounts of said premiums, and for his expence in payment of clerks in the two years, ending at Lady-day one thousand seven hundred and seventy five; the sum of one hundred pounds to Mr. Henry Smyth, deputy paymaster of the corn premiums, for his extraordinary trouble and expence in preparing accounts by him laid before the house of commons for two years, ended Midsummer one thousand seven hundred and seventy five; the sum of twelve thousand five hundred pounds to the incorporated society towards supporting the protestant charter schools of this kingdom; the sum of one thousand five hundred pounds to the lord mayor, sheriffs, commons, and citizens of the city of Dublin, towards paying off the debts by them contracted in carrying on the ballast office wall; the sum of ten thousand pounds to the Dublin society for the improvement of husbandry and other useful arts in Ireland, to enable them to continue premiums for the encouragement of agriculture, arts, and manufactures, and to pay the sum of sixty pounds a year, heretofore intended by the house of commons to be granted to the reverend Mr. Lyster, secretary to the Dublin society, for his trouble in viewing and arranging the claims and affidavits of the several persons intitled to premiums for preserving corn on stands, pursuant to act of parliament, to be paid him to and for the first of November one thousand seven hundred and seventy five; the sum of five hundred pounds to doctor Achmet towards enabling him to discharge the debts contracted by him in erecting the publick baths in the city of Dublin; the sum of one thousand five hundred pounds to the trustees of the new circular road round the city of Dublin to enable them to compleat the said road; the sum of three hundred and twenty three pounds four shillings and three pence to Mary Hay, executrix of the late David Hay, assignee of Boulter Grierson, his Majesty's printer, for seventeen sets of statutes, delivered to members of the house of commons who had not before received them; the sum of one thousand pounds to the trustees of Cork harbour towards the improvement of the same, to be accounted for to parliament; the sum of ten thousand pounds to the governors of the foundling hospital and workhouse, towards enabling them to discharge the debts by them contracted for the use of that charity; the sum of three thousand four hundred pounds to Mr. Benjamin Houghton as a recompence for his great services to the publick, and as a retribution for his loss in having in a great measure relinquished a very beneficial trade; the sum of one thousand pounds to the company of undertakers of the grand canal towards discharging the debt incurred in the said work, before the same was transferred to the said company; the sum of three thousand seven hundred pounds to the lord chancellor and the chief judges for the purpose of finishing the four court Marshalsea; the sum of one thousand pounds to Daniel De Lacherois, Ponsonby Boyd, and Robert Kyle, esquires, for repairing the pier and improving the harbour of Donaghadee, to be accounted for to parliament; the sum of one thousand two hundred pounds to Roger Palmer esquire in consideration of his extraordinary attendance, care, and expence in the office of paymaster of corn premiums during the two years, ended Michaelmas one thousand seven hundred and seventy five; the sum of five hundred pounds to Hampden Evans of Portrane, esquire, and

Joshua

Joſhua Davis of the city of Dublin, eſquire, towards erecting a pier at Portrane, to the northward of Howth in the county of Dublin, to be accounted for to parliament; the ſum of three hundred pounds to Mr. John Dempſey to enable him to carry on the pier begun by him at Loughſhinny in the county of Dublin; the ſum of three hundred pounds to Barnaby Scott to indemnify him in the loſſes he has ſuſtained by the deſtruction of a quantity of blankets by a riotous mob, which blankets were deſigned for the uſe of the troops going abroad; the ſum of one hundred pounds to Margaret Kirby, deputy houſekeeper of the houſe of commons, for her long and faithful ſervices; the ſum of two hundred pounds to Thomas Johnſton, towards repairing the loſſes that he has ſuſtained in endeavouring to improve the breed of the cattle of this country; and the ſum of five hundred pounds to Edward Sterling eſquire for his pains, care, and coſt in making indexes to the appendix, and to the twelfth, thirteenth, fourteenth, fifteenth, and ſixteenth volumes of the printed journals of the houſe of commons, and preparing copies of the ſaid journals for the preſs, conſiſting of the proceedings of the ſeſſions one thouſand ſeven hundred and ſixty five, one thouſand ſeven hundred and ſixty ſeven, one thouſand ſeven hundred and ſixty nine, one thouſand ſeven hundred and ſeventy one-two, and one thouſand ſeven hundred and ſeventy three four, and ſuperintending the whole work; all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers, receiver general or receivers general, of this kingdom without any further or other warrant to be ſued for, had, or obtained in that behalf.

Sums appropriated to hemp and flax and the manufacture applied to no other purpoſe,

ſeparate account thereof,

laid before parliament.

XVIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five the ſeveral ſums granted by this act, or any other act of parliament now in force in this kingdom, and appropriated to encourage the raiſing ſufficient quantities of flax and hemp in this kingdom, and for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and that a ſeparate and diſtinct account ſhall be kept by the proper officer of the application thereof, and be laid before parliament.

Herring tax to *Dublin* ſociety for north weſt fiſheries.

XIX. And be it further enacted by the authority aforeſaid, that the tax of one ſhilling *per* barrel, hereby granted and impoſed on all herrings imported into this kingdom, be paid to the Dublin ſociety to be by them applied to the encouragement of the fiſheries in the north weſt parts of this kingdom.

Drawback on herrings in 9 months.

XX. Provided always, in caſe any herrings ſo imported ſhall be exported within nine calendar months after ſuch importation, that the duties hereby impoſed and paid on ſuch importation ſhall be repaid to, and drawn back by, the exporter or exporters of the ſame.

Lace, cambrick, or lawn, imported, forfeited (except *Britiſh*) and treble value, the ſhip, &c.

to king and proſecutor,

on action by claimer as to cambrick or lawn proof on plaintiff, 17 & 18 *G.* 3. *c.* 21. *ſ.* 18.

XXI. And be it further enacted by the authority aforeſaid, that no gold or ſilver lace, cambricks or lawns whatſoever, (except of the manufacture of Great Britain) ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy five be imported into this kingdom in any ſhip or veſſel whatſoever under the penalty of the forfeiture of all ſuch lace, cambricks, and lawns, and treble the value thereof, and of the ſhip or veſſel in which the ſame ſhall be imported, with all her guns, tackle, furniture, ammunition, and apparel; one moiety of which forfeitures ſhall be and remain to his Majeſty, his heirs and ſucceſſors, and the other moiety to him or them who ſhall ſeize and ſue for the ſame by action, bill, plaint, or information, in the court of exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea ſhall be allowed.

A. D. 1775-6.

13 & 14 G. 3. c. 6.
17 & 18 G. 3. c. 3.
19 & 20 G. 3. c. 3. & 8.

CHAP. IX.

An act for granting unto his Majesty, his heirs and successors, several duties upon stamped vellum, parchment, and paper.

Free gift of rates and duties,

WE your Majesty's most dutiful and loyal subjects, the commons of Ireland in parliament assembled, being desirous to raise such aids and supplies as may be sufficient to support with honour and dignity your Majesty's government, do humbly present your Majesty with the free gift of the rates and duties herein after mentioned, and do beseech your Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fifth day of December one thousand seven hundred and seventy five there shall be throughout the kingdom of Ireland raised, collected, and paid unto his Majesty, his heirs and successors, from the twenty fifth day of December aforesaid till the twenty fifth day of December, which shall be in the year one thousand seven hundred and seventy seven inclusive, for the several and respective matters and things herein after mentioned, which shall be written or engrossed at any time or times from the said twenty fifth day of December one thousand seven hundred and seventy five to the twenty fifth day of December one thousand seven hundred and seventy seven inclusive, the several and respective rates, impositions, duties, charges, and sums of money, herein after expressed, in manner and form following, that is to say, for every skin or piece of vellum or parchment, on which any grants or letters patent under the great seal of Ireland of any honour, dignity, promotion, franchise, liberty, or privilege to any person or persons, bodies politick or corporate, or exemplifications of the same, shall be engrossed or written (commissions of rebellion in process always excepted) the sum of three pounds; for every skin or piece of vellum or parchment, or sheet of paper, on which any pardon (except the pardon passed in *forma pauperis*) of or for any crime or offence, or of any sum of money or forfeiture whatsoever, or on which any warrant of reprieve, relaxation from any fines, corporal punishment, or other forfeitures, shall be engrossed or written, the sum of three pounds; for every skin of vellum or parchment, or sheet of paper, upon which any grant from his Majesty, his heirs or successors, of any sum of money exceeding one hundred pounds, which shall pass the great seal of Ireland, shall be engrossed or written, the sum of three pounds; for every skin of vellum or parchment, or for every sheet of paper, upon which any grant of any office or employment, which shall be above the value of fifty pound *per annum*, shall be written or engrossed, the sum of three pounds; for every skin of vellum or parchment on which any grant of lands in fee, lease for years, or other grant or profit not herein particularly charged, that shall pass the great seal of Ireland, or the seal of the exchequer (*custodiam* leases excepted) shall be engrossed or written, the sum of two pounds; for every skin or piece of vellum or parchment, or sheet of paper, upon which any presentation or donation, which shall pass the great seal of Ireland, or upon which any collation to be made by any archbishop or bishop, or any presentation, or donation to be made by any patron whatsoever, of or to any benefice, dignity, or spiritual or ecclesiastical promotion whatsoever, of the value of one hundred pounds a year or upwards, shall be engrossed or written, the sum of two pounds; the value to be ascertained by the certificate of the archbishop or bishop, or vicar general of the dioceses; provided always, that two or more benefices episcopally united shall be deemed and taken to be one benefice only; for every skin or piece of vellum or parchment, or sheet of paper, on which any dispensation to hold two ecclesiastical dignities or benefices, or both a dignity and a benefice, or

from 25 Dec. 1775 to 25 Dec. 1777, duties on things written or ingrossed,

grant or patent of honour, promotion, franchise, &c. 3l. per skin,

commission of rebellion excepted,

pardon (save *forma pauperis*) reprieve, &c. 3l.

grant above 100l. or of office above 50l. *per ann.* 3l.

of lands in fee, lease years or other not particularly charged (*custodiam* excepted) 2l.

ecclesiastical promotion of 100l. a year 2l.

ascertained by diocesan certificate,

episcopal unions as one,

dispensation or faculty 6l.

any other diſpenſation or faculty from the lord archbiſhop of Armagh, or maſter of the faculties for the time being, ſhall be engroſſed or written, the ſum of ſix pounds; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any admiſſion of any fellow of the college of phyſicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers in any court whatſoever, ſhall be engroſſed or written (except ſuch officer be an annual officer in any corporation or inferior court, whoſe office is under the value of ten pounds a year in ſalary, fees, or other perquiſites) the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any appeal from the court of admiralty or the prerogative court, or from any archiepiſcopal court, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any conveyance, ſurrender of grants or offices, releaſe, or other deed whatſoever, which ſhall be inrolled of record in any of the courts at the city of Dublin, or in any other court of record whatſover, ſhall be engroſſed or written, the ſum of five ſhillings; for every piece of vellum or parchment, upon which any writ of covenant for levying a fine ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every piece of vellum or parchment, upon which any writ of entry for ſuffering a common recovery ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every ſkin of vellum or parchment upon which any exemplification of what nature ſoever, that ſhall paſs the ſeal of any court whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin of vellum or parchment, upon which any decree or diſmiſſion made by or in the courts of chancery or exchequer ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or ſheet of paper, upon which any inſtitution, that ſhall paſs the ſeal of any archbiſhop or biſhop, chancellor or other ordinary, or any eccleſiaſtical court whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; provided that an inſtitution to two or more benefices epiſcopally united ſhall be conſidered as to a ſingle benefice; for every ſkin or ſheet of vellum or parchment, or piece of paper, upon which any writ of error, *certiorari*, or appeal, except to the delegates, ſhall be engroſſed or written, the ſum of five ſhillings; as alſo for every ſkin or piece of vellum or parchment, or piece of paper, upon which any writ of *habeas corpus* ſhall be engroſſed or written, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any ſentence that ſhall be given in the court of admiralty, or upon which any attachment that ſhall be made out of the ſaid court of admiralty, or any relaxation of any ſuch attachment, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any probate of a will, or letters of adminiſtration for any eſtate above the value of thirty pounds, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any recognizances conditioned for the payment of money, or performance of covenants or agreements, ſtatute ſtaple or ſtatute merchant, ſhall be engroſſed or written, or entered of record in any court or office, the ſum of five ſhillings, except ſuch recognizances as ſhall be entered into by perſons applying for licences to ſell by retail beer, ale, wine, ſtrong waters, or other liquors, which recognizances ſhall be conſidered as bonds, and ſhall pay ſix pence only; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any record of *niſi prius* or *poſtea* ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every ſkin or piece of vellum or parchment or paper, upon which ſhall be engroſſed or written any judgment whatſoever, which ſhall be ſigned by the maſter of any office, or his deputy or ſecondary, or by any prothonotary or his ſecondary, deputy, or clerk, or any other officer belonging to any of the courts at the city of Dublin, who have power, or uſually do or ſhall ſign judgments, a duty after the rate of two ſhillings and ſix pence for every judgment engroſſed or written on ſuch ſkin or piece of vellum or parchment, or paper; for every ſkin or piece of vellum

admiſſion in college of phyſicians, officer in any court, 3l.
except annual under 10l a year,
appeal from admiralty, &c. 3l.
deed inrolled, 5s.
writ for fine or recovery, 2s. and 6d.
exemplification, 5s.
decree or diſmiſs, 6d.
inſtitution, 5s.
epiſcopal unions as one,
error, *certiorari*, or appeal, except to delegates, 5s.
habeas corpus, 1s.
admiralty ſentence, attachment, or relaxation, 5s.
probate, adminiſtration, for above 30l. 5s.
recognizance, ſtatute, 5s.
but for licence to retail liquors 6d. only,
niſi prius or *poſtea*, 2s. & 6d.
judgments, 2s. & 6d. each,

vellum or parchment, or piece or sheet of paper, upon which any commission issuing out of any ecclesiastical court, not herein otherwise particularly charged, shall be engrossed or written, the sum of two shillings and six pence; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any warrant, monition, or personal decree in the court of admiralty, shall be engrossed or written (except in suits for the payment of seamens wages) the sum of two shillings and six pence; for every piece of vellum, parchment, or paper, upon which any special bail to be taken in any of the courts of the city of Dublin, or before any of the judges of the said courts, or in any other court whatsoever, shall be engrossed or written, and for every piece of vellum, parchment, or paper, upon which shall be engrossed or written any appearance upon such special bail, the sum of one shilling; for every piece of parchment, vellum, or paper, upon which any common bail to be filed in any court whatsoever, and upon which any appearance, that shall be made upon such bail, shall be engrossed or written, the sum of six pence; for every skin or piece of vellum or parchment, upon which shall be engrossed or written any bill, answer, replication, rejoinder, interrogatories, depositions taken by commissioners, or any other pleadings whatsoever in the courts of chancery or exchequer, the sum of one shilling; for every skin or piece of vellum or parchment, and for every sheet or piece of paper, upon which any admission into any corporation or company shall be engrossed or written, the sum of six pence; for every piece of parchment or paper, upon which any affidavit shall be engrossed or written (except such affidavits as shall be taken before the officers of his Majesty's customs or excise, or any justice or justices of the peace, or before a magistrate of any corporation acting as a justice of the peace, or acting in any court of conscience or summary jurisdiction, or before any judge of assize, or commissioner of oyer and terminer relative to prosecutions or trials on indictments, or to civil bills, or that shall be made for the purpose of raising or accounting for publick money, and except affidavits made relative to the hempen and flaxen manufacture, or to the payment of corn premiums, or made before the trustees of any turnpike relative to the roads or tolls of such turnpike, or affidavits made before the Dublin society) the sum of six pence; for every piece of parchment or paper, upon which any copy of such affidavit as is herein before charged, that shall be filed or read in any court whatsoever, shall be engrossed or written, the sum of six pence; for every piece of vellum or parchment, or piece of paper, upon which shall be engrossed or written any indenture, lease, or deed poll, not hereby otherwise charged (except indentures for binding poor parish or other poor children supported by publick or private charities apprentices) the sum of one shilling; for every piece of vellum or parchment, or piece of paper, upon which any original writ (except such original upon which a writ of *capias* issues) *subpœna*, writ of *capias quominus*, writ of *dedimus potestatem* to take answers, examine witnesses, or appoint guardians, or any other writ whatsoever, or any other process or mandate that shall issue out of or pass the seals of any of the courts at the city of Dublin, or any other court whatsoever holding plea, where the debt or damage doth amount to forty shillings or above, or the thing in demand is of that value, shall be engrossed or written, the sum of six pence; for every piece of vellum, parchment, or paper, upon which any entry of any action in the mayor's and sheriffs courts of the city of Dublin, and in courts in all corporations, and other courts whatsoever, out of which no writs, process, or mandates issue, holding plea where the debt or damage doth amount to forty shillings or above, shall be engrossed or written, the sum of six pence; for every piece of vellum, parchment, or paper, upon which any rule or order (except in causes prosecuted upon indictments, or which relate to presentments) made or given in any of the courts at the city of Dublin, either courts of law or equity, which shall be taken out, shall be engrossed or written, the sum of six pence; for every piece of vellum, parchment, or paper, upon which any copy of such rules or orders, except in causes prosecuted upon indictments, or which relate to presentments entered, or the copies of any other records or proceedings in any of the

ecclesiastical court commission, not otherwise charged, 2s. and 6d.

admiralty process, save for seamen's wages, 2s. and 6d.

special bail, 1s.

appearance 1s.

common and appearance, 6d.

chancery or exchequer pleadings, 1s.

admission to corporation or company, 6d.

17 & 18 *G.* 3. *c.* 36. *s.* 14.

affidavit, 6d.

except before custom or excise officer, magistrate, or on indictment or civil bill, for publick money, hemp and flax, corn premiums, turnpikes, or Dublin society,

copy of affidavit charged filed or read, 6d.

deed, not otherwise charged 1s.

except binding poor apprentice,

writs (except *capias*) or process, where 40s. 6d.

entry of action in corporation court, &c. 6d.

rule or order of court, 6d.

except on indictment or presentment,

copy, 6d.

the said courts at the city of Dublin, not hereby otherwise charged, shall be engrossed or written, the sum of six pence; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which shall be engrossed or written any citation or monition made in the prerogative court, or in any ecclesiastical court, or any libel or allegation, deposition, answer, sentence, or final decree, or any inventory exhibited in the prerogative court, or in any eccl. siastical court, or the court of admiralty, or whereupon any copies of them respectively shall be engrossed or written (except in suits for recovery of seamens wages) the sum of six pence; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any charter party, policy of assurance, passport, bond, release, contract, or other obligatory instrument, or any protest, procuration, letter of attorney, or any other notarial act whatsoever, shall be engrossed or written, the sum of six pence; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any declaration, plea, replication, rejoinder, demurrer, or other pleadings whatsoever in any court of law, shall be engrossed or written, the sum of one penny; for every skin or piece of vellum or parchment, piece or sheet of paper, upon which any copy thereof shall be written or engrossed, the sum of one penny; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any depositions taken in the court of chancery or court of exchequer (except the paper drafts of depositions taken by virtue of any commission before they are engrossed) which are not herein before charged, or upon which any copy of any bill, answer, plea, demurrer, replication, rejoinder, interrogatories, depositions, or other proceedings whatsoever in any court of equity, shall be engrossed or written, the sum of one penny; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which a copy attested by the proper officer of the prerogative court, or any ecclesiastical court, of any will, shall be engrossed or written, the sum of one penny; for every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be engrossed or written any certificate or debenture for drawing back any customs or duties for or in respect of the reshipping or exporting of any goods or merchandizes, which at any time or times from and after the twenty fifth day of December one thousand seven hundred and seventy five to the twenty fifth day of December one thousand seven hundred and seventy seven inclusive shall be exported, or shipped to be exported, from the kingdom of Ireland for any parts beyond the seas, to be paid by the person for whose benefit or at whose instance such debenture or certificate shall be obtained, the sum of four pence; for every almanack or calendar for any one particular year, or for any time less than a year, which shall be printed on one side only of any one sheet or piece of paper only, the sum of one penny; for every other almanack or calendar for any one particular year the sum of two pence. Provided that for every printed almanack or calendar, made to serve for several years, the respective rates aforesaid shall be paid for every such year. For all papers containing publick news, intelligence, or occurrences, a duty after the rate of one half penny for every sheet and piece of paper less than a sheet, on which such news, intelligence, or occurrences, shall be printed; for every pamphlet or paper not exceeding six sheets in octavo, or in a lesser page, or not exceeding twelve sheets in quarto, or twenty sheets in folio, so printed, a duty after the rate of one shilling sterling for every sheet of any kind of paper, which shall be contained in one printed copy or impression thereof; for every advertisement to be contained in or published with any gazette, news paper, or journal, to be published weekly or oftener, or in any other printed paper or pamphlet whatsoever, being dispersed or made publick yearly, monthly, or at any other interval of time, the sum of two pence.

ecclesiastical or admiralty proceedings or copies, 6d.

save for seamen's wages, obligatory instrument or notarial act, 6d.

law pleading, 1d.

copy, 1d.

depositions (except the paper drafts) copy proceedings in equity, 1d.

attested copy will, 1d.

drawback debenture, 4d.

almanack one side only, 1d.

others yearly, 2d.

paid for every year,

news ½d. per sheet,

pamphlet 6 sheets octavo. 12 quarto, 20 folio, 1s. per sheet,

advertisement, 2d.

II. Provided always that nothing in this act contained shall be construed to extend to charge any calendar or perpetual almanack in any bible or common prayer book, or to charge any other calendar or almanack with more than the duty, that would be payable by this act for such other calendar or almanack, in case it were made for three years only.

Not to charge bible or prayer book calendar, or other calendar, with more than if made for 3 years.

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Every writing for any consideration on loſs, or lives, deemed policies.

III. And be it further enacted by the authority aforeſaid, that every deed, inſtrument, note, memorandum, letter, or other muniment or writing, for or relating to the payment of any ſum of money or for making any valuable conſideration for or upon the loſs of any ſhip, veſſel, goods, wages, money, effects, or upon any loſs by fire, or for any loſs whatſoever, or for or upon any life or lives, ſhall be conſtrued, deemed, and adjudged to be policies of aſſurance within the meaning of this act.

As to freight or conveyance, a charter party.

IV. And be it further enacted by the authority aforeſaid, that every deed, inſtrument, note, memorandum, letter, or other muniment or writing, between the captain or maſter, or owner of any ſhip or veſſel, and any merchant, trader, or other perſon, in reſpect to the freight or conveyance of any money, goods, wares, merchandizes, or effects, laden or to be laden on board of any ſuch ſhip or veſſel, ſhall be deemed and adjudged to be a charter party within the meaning of this act.

To prevent arreſt without writ or proceſs whereby duty loſt,

time of ſigning before judgment proceſs to arreſt indorſed at ſigning and entered by the officer,

penalty 10l. to proſecutor.

V. And for preventing abuſes committed by arreſting perſons without any writ or legal proceſs to juſtify the ſame, by means whereof the duty, hereby given to the crown upon ſuch proceſs, will be loſt, be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy five every officer or clerk belonging, or which ſhall hereafter belong, to the court of king's bench, common pleas, or exchequer, who ſhall ſign any writ or proceſs before judgment to arreſt any perſon or perſons thereupon, ſhall at the ſigning thereof ſet down upon ſuch writ or proceſs the day and year of the ſigning the ſame; which ſhall be entered upon the remembrance roll, or in the book where the abſtract of ſuch writ or proceſs ſhall be entered, upon pain to forfeit the ſum of ten pounds for every offence or neglect of ſuch officer or clerk aforeſaid; to be recovered by any perſon who ſhall ſue for the ſame in any court of record of his Majeſty, his heirs or ſucceſſors, by action of debt, bill, plaint, or information, wherein no wager of law, protection, or eſſoign or more than one imparlance ſhall be allowed.

Pamphlets ſerving for, charged only as, almanacks.

VI. And be it further enacted by the authority aforeſaid, that all books and pamphlets, ſerving chiefly for the purpoſe of an almanack, by whatſoever name or names entitled or deſcribed, are and ſhall be charged with the duty impoſed by this act on almanacks, but not with any of the duties charged by this act on pamphlets, or any other printed papers; any thing herein contained to the contrary notwithſtanding.

Bills or notes, not ſealed, exempted.

VII. Provided always, that this act, or any thing therein contained ſhall not extend to charge any bills of exchange, accounts, bills of parcels, bills of fees, or any bills or notes (not ſealed) for payment of money at ſight, or upon demand, or at the end of certain days of payment.

And probate or adminiſtration of ſeamen or ſoldiers in ſervice on certificate of the commander, and oath of the truth.

VIII. Provided alſo, that nothing in this act contained, ſhall extend to charge the probate of any will or letters of adminiſtration of any common ſeaman or ſoldier, who ſhall be ſlain or die in his Majeſty's ſervice, a certificate being produced from the captain or commander of the ſhip or veſſel, or captain or commanding officer of the troop or company under whom ſuch ſeaman or ſoldier ſerved at the time of his death, and oath (or if by a quaker a ſolemn affirmation) ſhall be made of the truth thereof before the proper judge or officer, by whom ſuch probate or adminiſtration ought to be granted, which oath or affirmation ſuch judge or officer is hereby authorized and required to adminiſter, and for which no fee or reward ſhall be taken.

And paupers.

IX. Provided alſo, that none of the rates, duties, or ſums of money, before in this act expreſſed, ſhall be raiſed, levied, collected, or paid, or be payable unto his Majeſty by virtue of this act, by any perſon or perſons that ſhall be admitted to ſue or defend in *forma pauperis*.

And court martial proceedings on ſoldiers.

X. Provided alſo, that this act, or any clauſe therein contained, ſhall not be conſtrued to charge with any duty any warrant made by, or recognizance taken before, any juſtice or juſtices of the peace, or any proceedings of any court martial

which relate to any trial of any common ſoldier, but ſuch warrants, recognizances, and proceedings, ſhall and are hereby declared to be exempted from the payment of any of the duties before mentioned in this act.

And acts of ſtate or parliament, votes, orders, of either houſe, ſchool books or of devotion, ſingle advertiſement, bills of imports or exports of & mortality.

XI. Provided alſo, that this act ſhall not extend to charge any acts of parliament, proclamation, order of council, forms of prayer and thankſgiving, or any acts of ſtate, which ſhall be ordered by his Majeſty, his heirs or ſucceſſors, or by the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, to be printed, or the printed votes, or other matters which are or ſhall be ordered to be printed by either houſe of parliament, with any of the ſaid duties on pamphlets or news papers, or to charge any books commonly uſed in any of the ſchools of Ireland, or any books containing only matters of devotion or piety, with the ſaid duties on pamphlets, or to charge any ſingle advertiſement printed by itſelf, or the daily accounts, or bills of goods imported and exported, or the weekly bills of mortality (ſo as ſuch accounts or bills do contain no other matters, than what have been uſually comprized therein) with any the duties aforeſaid; any thing herein contained to the contrary notwithſtanding.

Commiſſioners by chief governor,

head office in *Dublin*,

to appoint inferior officers under hand and ſeal with conſent.

XII. And be it further enacted by the authority aforeſaid, that for the better and more effectual levying, collecting, and paying unto his Majeſty, his heirs and ſucceſſors, the ſeveral and reſpective duties hereby granted, it ſhall and may be lawful for his Majeſty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, from time to time to nominate and appoint ſuch perſons, as his Majeſty, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall think fit, to be commiſſioners or officers for the ſtamping and marking of parchment, vellum, and paper, and managing the duties thereupon; and that the commiſſioners, ſo to be appointed, ſhall keep their head office in ſome convenient place within the city of Dublin: And the ſaid commiſſioners, or the major part of them, are hereby empowered under their hands and ſeals to appoint ſuch other inferior officers with the conſent and approbation of the lord lieutenant, or other chief governor or governors of this kingdom for the time being, for the marking or ſtamping of vellum, parchment, and paper, or for the better collecting or levying the duties hereby granted to his Majeſty, his heirs and ſucceſſors, as they in their diſcretion ſhall think proper.

Commiſſioners and officers by 13 & 14 *G.* 3. c. 6. and by this act, ſhall act with ſame powers, unleſs removed by chief governor, or by commiſſioners with conſent.

XIII. Provided always, and be it enacted by the authority aforeſaid, that the ſeveral commiſſioners and officers for the ſtamping or marking vellum, parchment, and paper, and managing the duties thereupon, appointed by his excellency the lord lieutenant in purſuance of an act paſſed the laſt ſeſſion of parliament, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper*, and the ſeveral inferior officers appointed by the ſaid commiſſioners in purſuance of the ſaid act, as alſo ſuch other commiſſioners and officers as ſhall be hereafter appointed purſuant to this act, ſhall, during the continuance of this act, for the more effectual levying the ſeveral duties hereby granted continue to act in the ſeveral offices to which they have been or ſhall be ſo appointed, in like manner, with the ſame powers and authorities, and ſubject to the ſame reſtrictions and limitations, as are mentioned in the ſaid recited act, unleſs they ſhall be ſooner removed from ſuch offices by the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, or by the ſaid commiſſioners, with the conſent or approbation of the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being.

Former ſtamps uſed,

altered or renewed on due notice by proclamation.

XIV. And be it further enacted by the authority aforeſaid, that the ſeveral types, marks, or ſtamps, already provided by the ſaid commiſſioners for the ſeveral and reſpective duties granted by the ſaid recited act, ſhall continue to be uſed for the ſtamping and impreſſing of all vellum, parchment, and paper, on which any of the ſeveral and reſpective things herein before charged ſhall be engroſſed or written; and that the ſaid types, marks, or ſtamps, or any of them, ſhall or may be altered or renewed from time to time, as his Majeſty, his heirs and ſucceſſors, or the lord lieutenant, or other chief governor or chief governors of this kingdom for

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for the time being, shall think fit, so as publick notification thereof be given by proclamation, to be issued under the great seal of Ireland, a convenient time before the said types, marks, or stamps, shall be altered or renewed, to the end that all persons may have due notice thereof.

Judicial notice taken of stamps.

XV. And that all courts of justice and judges whatsoever shall without any allegation or proof on that behalf take judicial notice of the several types, marks, and stamps, heretofore appointed by virtue of the said recited act, and of all types, marks, and stamps, which shall or may be hereafter published by virtue of any proclamation or proclamations, which shall or may be issued as and for the true and lawful types, marks, and stamps, to be made use of in pursuance of this act.

Impression durable, and least liable to forgery.

XVI. And be it further enacted by the authority aforesaid, that the commissioners in providing types, marks, and stamps from time to time shall take care, they be so contrived, that the impression thereof may be durable, and that the same may be least liable to be forged or counterfeited.

An officer to notice the vellum, paper, & stamps, and all matters to secure the duties,

XVII. And be it further enacted by the authority aforesaid, that the commissioners heretofore constituted or hereafter to be constituted by his Majesty, his heirs or successors, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being as aforesaid, shall and may from time to time, as they shall see occasion, appoint a fit person to attend in any court or office to take notice of the vellum, parchment, or paper, upon which any of the matters or things aforesaid shall be engrossed, written, or put, and of the marks or stamps thereupon, and of all other matters and things tending to secure his Majesty's duties arising by this act; and that the judges in the several courts, and such others to whom it may appertain, at the request or requests of the said commissioners, or any two or more of them, shall make such orders in the respective courts, and do such other matters and things for the better securing of the said duties, as shall be lawfully and reasonably desired in that behalf; and that every commissioner and other officer hereafter to be appointed, before he proceeds to the execution of this act, shall take the oath following, that is to say:

orders made in courts at commissioners request,

previous oath by commissioners & officers.

I A. B. *do swear, that I will faithfully execute the trust reposed in me pursuant to an act of parliament, entitled,* An act for granting to his Majesty, his heirs and successors, several duties upon vellum, parchment, and paper, *without fraud or concealment, and will from time to time true account make of my doings therein, and deliver the same to such person or persons, as his Majesty, his heirs or successors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, hath appointed, or hereafter shall appoint, to receive such account, and will take no fee, reward, or profit for the execution or performance of the said trust, or the business relating thereunto, from any person or persons, other than such as shall be paid or allowed by his Majesty, his heirs or successors, or by some other person or persons for that purpose authorized by his Majesty, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being.*

And such oath shall and may be administered to any such commissioner or commissioners by any two or more of the same commissioners, whether they have taken the same previously or not; and any of the said commissioners, or any justice of the peace within the kingdom of Ireland, shall and may administer the like oath to any subordinate officer.

To observe rules and orders by chief governor,

XVIII. And be it further enacted by the authority aforesaid, that the said commissioners, and other officers heretofore appointed or hereafter to be appointed as aforesaid, and all officers employed, or to be employed, or intrusted by or under them as aforesaid, shall from time to time in and for the better execution of their several places and trusts observe and perform such rules, methods, and orders, as they respectively have received or shall receive from time to time from the lord lieutenant or other chief governor or governors of this kingdom for the time being;

being; and that the said commissioners shall take special care, that the several parts of this kingdom shall from time to time be sufficiently furnished with vellum, parchment, and paper, stamped or marked as aforesaid, so as his Majesty's subjects may have it in their election to buy the same of the officers or persons to be employed by the said commissioners at the usual or most common rates above the said duty, or to bring their own vellum, parchment, or paper to be stamped as aforesaid, or to furnish themselves or others that shall have done the same.

furnish sufficient stamped paper, &c. election to buy or bring their own.

XIX. And to the end that his Majesty may not be defrauded of any of the duties hereby granted, be it further enacted by the authority aforesaid, that all records, writs, pleadings, and other proceedings in courts of law and equity, and all deeds, instruments, and writings whatsoever, hereby charged, shall be engrossed or written in such manner, as they have been usually accustomed to be written, or are now written.

All proceedings & writings ingrossed as usual.

XX. And be it further enacted by the authority aforesaid, that all writings, matters, and things (in respect whereof any of the said duties shall be payable, and which shall be engrossed or written after the said twenty fifth day of December one thousand seven hundred and seventy five) shall be written in such manner, that some part thereof shall be either upon or as near, as conveniently may be, to the stamps or marks, which shall in pursuance of this act be placed on the vellum, parchment, or paper, whereupon the same shall be written or engrossed, upon pain that the person, who shall write or engross, or cause to be written or engrossed, any such writing, matter, or thing contrary to the tenor and true meaning hereof, shall for every such offence forfeit the sum of ten pounds, with full costs of suit.

Some part of the writing upon or near the stamp.

penalty 10l. with full costs.

XXI. And be it further enacted by the authority aforesaid, that all vellum, parchment, and paper, hereby intended to be charged with the several and respective duties aforesaid, shall, before any of the matters or things herein before mentioned shall be thereupon engrossed or written, be brought to the head office aforesaid to be stamped and marked; and the said commissioners and officers are hereby required, upon demand of the person or persons so bringing the same, forthwith without fee or reward to stamp or mark any quantities or parcels of vellum, parchment, or paper, so brought, such person or persons paying to such officer or officers, as shall be appointed in that behalf, the respective duties hereby directed to be paid for the same.

Paper, &c. brought to head office,

stamped forthwith without fee, paying duties,

XXII. And be it enacted by the authority aforesaid, that if any person or persons shall be arrested from and after the first day of Hillary term one thousand seven hundred and seventy six by any writ, bill, or process issuing out of any of his Majesty's courts of record at Dublin at the suit of any common person, and the sheriff or other officer taketh bail from such person, against whom such writ, bill, or process is taken out, the sheriff or other officer at the request and costs of the plaintiff in such action or suit, or his lawful attorney, shall assign to the plaintiff in such action the bail bond, or other security taken from such bail, by indorsing the same, and attesting it under his hand and seal in the presence of two or more credible witnesses, which may be done without any stamp, provided the assignment so endorsed, be duly stamped before any action be brought thereupon; and also that from and after the twenty fifth day of December one thousand seven hundred and seventy five all sheriffs and other officers having authority to grant replevins, when and as often as it shall become necessary for such sheriff or other officer to assign any bond of any plaintiff in replevin to the avowant, such assignment may be made without any stamp, provided the assignment so made be duly stamped before any action brought thereupon.

Bail bond assigned to plaintiff by indorsing and attesting under hand and seal with 2 witnesses, without stamp, if stamped before action thereon,

bond in replevin assigned to avowant without stamp, if stamped before action.

XXIII. And be it further enacted by the authority aforesaid, that if any commissioner, or other officer appointed or to be appointed as aforesaid, shall fix any such mark or stamp to any vellum, parchment or paper, before the several and respective duties thereupon charged by this act shall be duly answered and paid, or be secured to be paid to his Majesty's use, he shall for every such offence, forfeit the sum of one hundred pounds; one moiety thereof to his Majesty, and the other

Stamp before payment or security,

100l. to K. and prosecutor.

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other moiety to him or them that shall inform or sue for the same in any of his Majesty's courts of record.

Writing before stamp, or stamped for lower duty, 10l. above duty,

XXIV. And be it further enacted by the authority aforesaid, that if any person or persons hath or have engrossed or written, or cause to be engrossed or written, at any time since the commencement of the said recited act, or shall at any time hereafter engross or write, or cause to be engrossed or written, upon any vellum, parchment, or paper any of the matters or things, for which the said vellum, parchment, or paper was chargeable by the said recited act, or is hereby charged to pay any duty, before such time as the said vellum, parchment, or paper, hath been or shall be marked or stamped as aforesaid, or upon which there was not or shall not be some stamp or mark resembling the same, or hath or have engrossed or written, or caused to be engrossed or written, or shall engross or write, or cause to be engrossed or written, any matter or thing upon any vellum, parchment or paper, that hath been or shall be stamped or marked for any lower duty, than the duty by the said recited act or this act payable for what hath been or shall be so engrossed or written, then and in every such case there shall be duly answered and paid to his Majesty, over and above the duty aforesaid, for every such deed, instrument, or writing, the sum of ten pounds; and no such record, deed, instrument, or writing, shall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity, until as well the said duty as the said sum of ten pounds shall be first paid to his Majesty's use, and a receipt produced for the same under the hand or hands of some of his Majesty's officers appointed to receive the duties above mentioned, and until the vellum, parchment, or paper, on which such deed, instrument, or writing, hath been or shall be written or made, shall be marked or stamped with a lawful mark or stamp; and the proper officer and officers are hereby enjoined and required upon payment or tender of the said duty and sum of ten pounds unto him or them to give a receipt for the same, and to mark or stamp the said vellum, parchment, or paper, with the mark or stamp that shall be proper for such deed, instrument, or writing respectively.

not admitted in court till payment and receipt produced, and lawful stamp.

Offender to forfeit 5l. to king and prosecutor.

XXV. And be it further enacted by the authority aforesaid, that if any person or persons shall engross or write, or cause to be engrossed or written, upon any vellum, parchment, or paper, any of the matters or things for which the said vellum, parchment, or paper is hereby charged to pay any duty, before such time as the said vellum, parchment, or paper, shall be marked or stamped as aforesaid, or upon which there shall not be some stamp or mark resembling the same, or shall engross or write, or cause to be engrossed or written, any matter or thing upon any vellum, parchment, or paper that shall be marked or stamped for any lower duty than the duty, by this act payable for what shall be so engrossed or written; such person so offending shall for every such offence forfeit the sum of five pounds, one moiety thereof to his Majesty, his heirs and successors, and the other moiety to him or them that will inform or sue for the same.

Clerk or officer ingrossing not stamped, or on counterfeit, knowing it, or for lower duty disabled,

XXVI. And be it further enacted by the authority aforesaid, that in case any clerk, officer, or person, who in respect of any office or publick employment is or shall be intitled or intrusted to make, engross, or write any records, deeds, instruments, or writings by this act charged to pay a duty as aforesaid, shall be wilfully guilty of any fraud or practice to deceive his Majesty of any duty by this act payable by making, engrossing, or writing any such record, deed, instrument, or writing, or by causing the same to be made, engrossed, or written upon vellum, parchment, or paper not marked or stamped according to this act, or upon which there shall not be some stamp or mark resembling the same, or upon vellum, parchment, or paper, marked or stamped with any mark or stamp, which he shall know to be counterfeited, or by wilfully engrossing or writing any such deed, instrument, or other writing upon vellum, parchment, or paper, which he shall know to be marked or stamped for a lower duty as aforesaid, then every such clerk, officer, or person so guilty of any such

fraud or practice, and being thereof lawfully convicted, shall forfeit his office, place, or employment respectively, and be disabled to hold or enjoy the same for the future; and if any attorney belonging to any court whatsoever shall wilfully be guilty of any such fraud or practice as aforesaid, and be convicted thereof, he shall be disabled for the future to practise as an attorney.

attorney disabled.

XXVII. And be it further enacted by the authority aforesaid, that if any person or persons shall write or engross, or cause to be written or engrossed, either the whole or any part of any matter or thing, in respect whereof any duty is payable by this act, upon any part of any piece of vellum, parchment, or paper, whereon there shall have been before engrossed, written, or printed any other matter or thing, in respect whereof any duty is payable by this act, before such vellum, parchment, or paper shall have been again marked or stamped according to this act, or shall fraudulently erase or scrape out, or cause to be erased or scraped out, the name or names of any person or persons, or any sum, date, or other thing engrossed, written, or printed in such instrument, writing, matter, or thing as aforesaid, or fraudulently cut, tear, or get off any mark or stamp from any piece of vellum, parchment, or paper, or any part thereof, with intent to use such stamp or mark for any other writing, matter, or thing, in respect whereof any duty shall be payable by virtue of this act, then so often and in every such case every person, so offending in any of the particulars before mentioned, shall for every such offence forfeit the sum of fifty pounds.

Writing on former ingrossment chargeable before stamped again, fraudulently erasing any thing, getting off stamp to use for any other, 50l.

XXVIII. Provided always, and be it further enacted by the authority aforesaid, that as often as his Majesty, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, shall think fit to alter or renew the said marks or stamps, or any of them, it shall be lawful for all persons, who shall at that time have in their custody or possession any vellum, parchment, or paper, marked with the mark or stamp which shall have been so altered or renewed, and upon which none of the matters or things hereby charged shall have been engrossed or written, at any time within the space of sixty days after such intention of renewing or altering shall be published by proclamation as aforesaid, to bring or send such vellum, parchment, or paper unto the said commissioners to the head office in the city of Dublin, or to such other officers appointed as aforesaid; and the said commissioners and officers respectively are hereby required to deliver or cause to be delivered unto the several persons, who shall so bring and deliver any quantity of vellum, parchment, or paper, the like quantity of vellum, parchment, or paper, and as good in quality, stamped with such new stamps or marks, without demanding or taking directly or indirectly for the same any sum of money or other consideration whatsoever, under the penalty of forfeiting for every offence one hundred pounds, to be sued for, recovered, and divided in such manner as the other penalties in this act are directed to be sued for, recovered, and divided; and in case any person shall neglect or refuse within the time aforesaid to bring or cause to be brought and delivered unto the said commissioners and officers aforesaid any such vellum, parchment, or paper, the same is hereby declared to be of no other effect or use, than if it had never been stamped; and that all matters or things, which shall after that time be engrossed or written thereon, shall be of no other effect, than if they had been engrossed or written on vellum, parchment, or paper not marked or stamped at all; and all persons, who shall engross or write any of the matters or things hereby charged, on such vellum, parchment, or paper after the said time, shall forfeit and suffer, as herein before is enacted for persons writing or engrossing on vellum, parchment, or paper not marked or stamped.

On bringing to the office altered or renewed stamped paper, &c. in 60 days after proclamation, like quantity and quality with new stamp delivered without any consideration, penalty 100l.

If not so brought deemed not stamped.

XXIX. Provided always, and be it further enacted by the authority aforesaid, that as often as his Majesty, his heirs or successors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, shall think fit to alter the said stamps, or any of them, the proclamation, which is hereby intended to be made for the giving all persons due notice thereof, shall within twenty days after the date thereof be sent to the mayor, chief magistrate, or other head officer

Proclamation sent in 20 days to chief magistrates or officers,

cer of every city, corporation, borough and market town throughout the kingdom of Ireland; which officers respectively shall cause the same to be published to the inhabitants of such city, corporation, borough, or town, either on the next market day, or next Sunday in the church immediately after the time of divine service, upon pain of forfeiting the sum of fifty pounds; to be sued for by action of debt, bill, plaint, or information in any of his Majesty's courts of record at Dublin, wherein no essoign, protection, wager of law, privilege, or more than one imparlance shall be granted or allowed; the one moiety of which forfeiture to be to his Majesty, his heirs and successors, the other moiety to such person who shall sue for the same.

published next market or Sunday after service,

penalty 50l. to K. and prosecutor,

XXX. And for the better distribution of the said vellum, parchment, and paper, and that the subjects may have the same with more convenience, and at an easy rate, be it further enacted by the authority aforesaid, that the lord lieutenant, or other chief governor or governors of this kingdom for the time being, shall once in every year at least set the prices of all sort of stamped vellum, parchment, or paper, at which the same shall be sold; and that the said commissioners for managing the said duties upon vellum, parchment, and paper, shall stamp the said price so set upon every skin or piece of vellum or parchment, or sheet or piece of paper, so by them to be sold; and that the said commissioners shall likewise allow and pay to every person, that shall bring vellum, parchment, or paper, to the said head office to be stamped in pursuance of this act (the duties whereof hereby imposed shall amount to the sum of ten pounds or upwards) after the rate of six pounds in the hundred pounds per annum for six months, upon present payment of the said duty upon the said vellum, parchment, or paper so by them brought; and that any person or persons, who shall buy of the said commissioners, or their agents, vellum, or parchment, or paper, at the head office for stamping the same, the duty whereof shall amount to the like sum of ten pounds or upwards, shall have the same allowance for present payment.

Prices of stamped paper, &c. set once a year at least,

stamped on every piece sold,

allowance for present payment, where duty 10l.

XXXI. Provided always, that all vellum, parchment and paper, which shall have been stamped or marked, and shall have paid the duties granted by virtue of the said recited act, shall and may be used for the purposes thereby intended without any additional stamp, mark, or duty, any thing in this act to the contrary notwithstanding.

Duties by said act paid, no additional.

XXXII. And for the better collecting and securing the duties hereby charged on pamphlets be it further enacted by the authority aforesaid, that one printed copy of every such pamphlet, which from and after the said twenty fifth day of December shall be printed or published within the city of Dublin, shall within the space of six days after the printing thereof be brought to the said head office for marking or stamping of vellum, parchment, and paper; and the title thereof, with the number of sheets contained therein, and the duty hereby charged thereon, shall be registered in or entered in a book to be there kept for that purpose, which duty shall be thereupon paid to the proper officer or officers appointed to receive the same, or his or their deputy or clerk, who shall thereupon forthwith give a receipt for the same on such printed copy, to denote the payment of the duty hereby charged on such pamphlet; and that one printed copy of every such pamphlet, that shall be printed or published in any place, not being within the city of Dublin last before mentioned, shall within the space of fourteen days after the printing thereof be brought to some head collector of the said stamp duties, who is hereby required forthwith to enter the title thereof, with the number of sheets contained therein, and the duty hereby charged thereon, in a book to be by him kept for that purpose, which duty shall be thereupon paid to such collector, who shall thereupon give a receipt for the same on such printed copy.

1 copy of pamphlets printed in *Dublin* brought to office in 6 days.

title, sheets, and duty registered,

duty paid and receipt indorsed on said copy,

in other places in 14 days to head stamp collector.

XXXIII. And be it further enacted by the authority aforesaid, that if any such pamphlet shall be printed or published, and the duty hereby charged thereon shall not be duly paid, and the title and number of sheets thereof shall not be registered,

Penalty, 20l.

registered, and a receipt for such duty given on one copy thereof, within the respective times herein before for those several purposes limited, then the printer and publisher, and all other persons concerned in or about the printing or publishing of such pamphlet, shall for every such offence forfeit the sum of twenty pounds.

No news printed till security for duty on advertisements, penalty 20l.

XXXIV. And be it further enacted by the authority aforesaid, that no printer or any other person or persons whatsoever, shall publish any news paper, intelligence, or occurrences, or any paper serving the purpose of a news paper intelligence or occurrences, before he or they shall have entered into security for the payment of the duty on advertisements, which shall be printed therein or thereupon, upon pain that every person so offending herein shall for every such offence forfeit the sum of twenty pounds.

No pamphlet or news sold without printer's true name and abode, penalty 20l.

XXXV. And be it further enacted by the authority aforesaid, that no person whatsoever shall sell or expose to sale any such pamphlet, or any news paper, without the true respective name or names, and place or places of abode, of some known person or persons, by or for whom the same was really and truly printed or published, written or printed thereon, upon pain that every person offending herein shall for every such offence forfeit the sum of twenty pounds.

No stamped paper for news delivered, till security of duties for the advertisements.

XXXVI. And be it further enacted by the authority aforesaid, that no officer appointed for distributing stamped vellum, parchment, or paper in this kingdom, shall sell or deliver any stamped paper for printing any publick news, intelligence, or occurrences to any person, unless such person shall give security to the said officer for the payment of the duties for the advertisements, which shall be printed therein or thereupon.

Stamps on news remaining unsold cancelled,

XXXVII. And in regard of the uncertainty how many copies of the said printed news papers may be sold, and to the intent the duties hereby granted thereupon may not be lessened by printing a less number, than may be sold, out of fear of loss thereby in printing more such copies than may happen to be sold, it is hereby provided, and be it further enacted by the authority aforesaid, that the commissioners for managing the said stamp duties, or the major part of them, or the head officer appointed for the time being in that behalf, shall and may cancel or cause to be cancelled all the stamps upon the copies of any impression of such news paper, which shall really and truly remain unsold in the hands of the person or persons, by or for whom the same shall be printed or published; and upon oath or oaths (or if by a quaker upon solemn affirmation) made before the said commissioners, or any one of them, or such head officer, to the satisfaction of such commissioners or head officer, that all such copies containing the stamps, so tendered to be cancelled, are really and truly remaining unsold in the hands of the person or persons, by or for whom the same were printed or published, and that none of the said copies have been fraudulently returned or rebought, after the same shall have been sold or disposed of, or any profit or advantage made thereof, which oath or affirmation the said commissioners or any one of them, and the said head officers respectively, are hereby authorized to administer, and to examine upon oath or affirmation into all circumstances relating to the selling or disposing of such printed copies, shall and may deliver, or cause to be delivered, the like number of other sheets, half sheets, or less pieces of paper, properly stamped with the same respective stamps, upon payment made for such paper; but no duty shall be taken for the stamps thereon.

on oath thereof, & of no fraudulent return or profit,

like number of stamps delivered, paying for paper only.

Stamped paper, &c. ingrossed, spoiled or obliterated before executed or used, and no consideration given, if brought to office, and oath thereof, exchanged without fee,

XXXVIII. And be it further enacted by the authority aforesaid, that from and after the twenty fifth day of December one thousand seven hundred and seventy five it shall be lawful for all persons, who shall at any time have in their custody or possession any stamped vellum, parchment, or paper written or engrossed, which shall be inadvertently and undesignedly spoiled, obliterated, or by any other means rendered unfit for the purpose intended, before the same is executed by any party or parties, and which in either case shall not have been used for any other purpose, or in any other manner whatsoever, nor any money or other consideration paid or given to the attorney, solicitor, or other person, employed to transact

the buſineſs intended to have been carried into execution by ſuch writing or engroſſment, or to the writer or engroſſer thereof, for the duty or duties marked, ſtamped, or impreſſed thereon, to bring or ſend ſuch ſtamped vellum, parchment, or paper, unto the ſaid commiſſioners of the ſtamp duties at their head office in Dublin; and upon oath (or if by a quaker upon ſolemn affirmation) made to the ſatisfaction of the ſaid commiſſioners, (which oath or affirmation the ſaid commiſſioners are, or any one of them is, hereby authorized to adminiſter,) that ſuch ſtamped vellum, parchment, or paper, ſo written or engroſſed upon or ſpoiled, obliterated, or by any other means rendered unfit for the purpoſe intended, hath not been executed by any party or parties, or uſed for any other purpoſe, or in any other manner whatſoever, and that no money or other conſideration hath been paid or given for the duty or duties marked, ſtamped, or impreſſed thereupon, (ſave and except the money firſt paid for ſuch duty or duties to the ſaid commiſſioners, or the receiver general of the ſtamp duties, or other proper officer appointed to collect and receive the ſame) the ſaid commiſſioners are hereby required to ſtamp and mark, or cauſe to be ſtamped and marked, for the ſeveral perſons, who ſhall ſo bring and deliver any quantity of ſtamped vellum, parchment, or paper, ſo written or engroſſed, upon ſpoiled, obliterated, or by any other means rendered unfit for uſe or ſervice, the like quantity of vellum, parchment, or paper, with the ſeveral and reſpective duties, ſtamped, marked, or impreſſed, on the vellum, parchment, or paper, ſo written or engroſſed upon, ſpoiled, obliterated, or by any other means rendered unfit for uſe or ſervice, without demanding or taking directly or indirectly for the ſame any ſum of money or other conſideration whatſoever; and the ſaid commiſſioners for managing the ſtamp duties for the time being are hereby empowered from time to time to make ſuch rules and orders for regulating the methods, and limiting the times, for ſuch cancelling and allowance as aforeſaid with reſpect to ſuch news papers and other matters, as they ſhall upon experience and conſideration of the ſeveral circumſtances find neceſſary or convenient for the effectual ſecuring the duties thereon, and doing juſtice to the perſons concerned therein.

rules by commiſſioners from time to time as to cancelling and allowance.

Stamped paper for almanacks delivered on ſecurity for duties in 3 months,

XXXIX. Provided always, and be it further enacted by the authority aforeſaid, that the ſaid commiſſioners and other officers for managing the ſtamp duties ſhall and may deliver to any perſon, by or for whom any almanack or almanacks ſhall be printed, paper marked or ſtamped according to the true intent and meaning hereof for the printing ſuch almanack or almanacks upon his or her giving ſufficient ſecurity to pay the amount of the duties, hereby charged thereon, within the ſpace of three months after ſuch delivery; and that the ſaid commiſſioners and officers, upon bringing to them any number of the copies of ſuch almanacks within the ſpace of three months from the ſaid delivery, and requeſt to him or them in that behalf made, ſhall cancel all the ſtamps upon ſuch copies, and abate to ſuch perſon ſo much of the money due upon ſuch ſecurity, as ſuch cancelled ſtamps ſhall amount to.

ſtamps on copies brought in 3 months cancelled,

and the duty abated.

1 Sheet of almanack ſtamped.

XL. Provided always, that where any almanack ſhall contain more than one ſheet of paper, it ſhall be ſufficient to ſtamp only one of the ſheets or pieces of paper, upon which ſuch almanack ſhall be printed, and to pay the duty accordingly.

Selling almanack or news unſtamped, 40s.

XLI. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy five in caſe any perſon or perſons ſhall ſell, hawk, carrry about, utter, or expoſe to ſale any almanack or calendar, or any news paper, or any book, pamphlet, or paper, deemed, or conſtrued to be, or ſerving the purpoſe of, an almanack or news paper within the intention and meaning of this act, not being ſtamped or marked as by this act is directed, every ſuch perſon ſhall for every ſuch offence forfeit the ſum of forty ſhillings, to be recovered in a ſummary way before any juſtice of the peace, who is hereby authorized to hear and determine the ſame; and upon due proof, and default of payment of the ſaid penalty, to commit the

offender to priſon for any time not exceeding one month, without bail or main-prize, which ſaid penalty ſhall be to the ſole uſe and benefit of the perſon or perſons who ſhall without fraud or covin firſt ſue for the ſame.

or impriſonment not above 1 month.

XLII. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy all and every perſon and perſons, who ſhall print or publiſh, or cauſe to be printed or publiſhed, any advertiſement or advertiſements in any pamphlet, news paper, or other literary performance, ſhall, within the ſpace of forty days after the printing or publication of ſuch advertiſement or advertiſements pay or cauſe to be paid the duty or duties, thereon hereby charged, to the reſpective perſons appointed to receive the ſame, or to their reſpective deputies or clerks, the duties for all ſuch advertiſements as ſhall be ſo printed or publiſhed within the city of Dublin, and to the next adjacent head officer for the time being, appointed for the collection of the ſaid ſtamp duties, the ſaid duties hereby charged for and upon all ſuch advertiſements as aforeſaid, which ſhall be printed or publiſhed in any place out of the limits of the ſaid city; and the commiſſioners and officers laſt mentioned, or ſuch of them to whom it ſhall appertain, are hereby required, upon payment of the duties hereby charged on ſuch advertiſements, to give a receipt or receipts for the duty or duties hereby charged thereupon, and in default of ſuch payment within the time herein before for that purpoſe limited, the printer or publiſher of every ſuch advertiſement ſhall be liable to pay treble the duties before by this act chargeable thereupon, to be recovered with full coſts of ſuit.

Advertiſement duty paid in 40 days, or treble duty with full coſts.

XLIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever ſhall at any time or times hereafter counterfeit or forge any type, mark, or ſtamp, to reſemble any type, mark, or ſtamp, provided and uſed by virtue of the ſaid recited act, or which ſhall be provided, made, or uſed in purſuance of this act, or ſhall counterfeit or reſemble the impreſſion of the ſame upon any vellum, parchment, or paper, or other matter directed to be ſtamped, thereby to defraud his Majeſty, his heirs and ſucceſſors, of any of the duties hereby granted, or ſhall utter, vend, or ſell any vellum, parchment, or paper with ſuch counterfeit mark or impreſſion thereupon, knowing ſuch mark or impreſſion to be counterfeited, then every ſuch perſon ſo offending, and being thereof convicted in due form of law, ſhall be judged a felon, and ſhall ſuffer death as in caſes of felony without the benefit of clergy.

Forging ſtamp, or knowingly uttering or vending therewith, felony death.

XLIV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for his Majeſty, and to and for the lord lieutenant or other chief governor or governors of this kingdom for the time being, out of the duties ariſing by this act to cauſe ſuch ſum and ſums of money to be expended and paid from time to time for ſalaries and other incident charges, as ſhall be neceſſary in and for the receiving, collecting, levying, or managing of the ſame duties, any thing in this act contained to the contrary notwithſtanding.

Salaries and charges out of duties.

XLV. And be it further enacted by authority aforeſaid, that all and every the officer and officers, who ſhall be concerned in the levying, collecting, and receiving the duties ariſing by this act, ſhall keep ſeparate and diſtinct accounts thereof; and that the ſeveral perſons, employed to collect and levy the ſaid duties in the city or county of Dublin, ſhall pay the ſame in ſpecie into his Majeſty's treaſury on the firſt Monday in every month, unleſs it be a holiday, and then the next day after which ſhall not be a holiday; and the ſeveral perſons, employed to levy and collect the ſaid duties in other parts of this kingdom, ſhall pay the ſame in like manner to the ſeveral collectors of the inland exciſe of the reſpective diſtricts, in which the ſame ſhall be received and collected; which ſaid collectors are hereby authorized and required to receive and give receipts for the ſame without fee or reward, and to keep diſtinct accounts thereof; and every ſtamp officer ſhall in ſix days after his making any payment into his Majeſty's

Separate accounts kept,

paid to treaſury 1ſt Monday monthly.

or to exciſe collector of diſtrict,

notice of payment in 6 days to commiſſioners,

Majesty's treasury, or to any of the said collectors, give notice of the amount of such payments to the commissioners of stamps; and if the said officers, or any of them shall neglect or refuse to pay the same at the time or in manner aforesaid, or shall detain all or any part of the monies by them collected and received, then for such offence he or they shall be dismissed from his or their employment, and be rendered incapable to serve his Majesty, his heirs and successors, and be charged with interest for the monies, so detained in their hands, after the rate of twelve pounds *per centum per annum*.

not paying, incapable, and 12*l. per cent.* interest for money detained.

XLVI. Provided nevertheless, that it shall and may be lawful for the receiver general of the said duties to retain in his hands such sum, not exceeding one month's produce of the said duties, as he shall so receive, to answer the necessary demands of the said office.

Receiver general may retain 1 month's produce.

XLVII. And be it further enacted by the authority aforesaid, that there shall be provided and kept in his Majesty's treasury one book, in which all monies, that shall be paid into the treasury by virtue of this act, shall be entered and registered apart and distinct from all other monies paid or payable to his Majesty upon any account whatsoever.

A distinct register in treasury.

XLVIII. And be it further enacted by the authority aforesaid, that none of the duties granted by this act shall be received or collected by or paid to the said commissioners of stamps; and that the several persons, who shall be respectively employed in receiving, collecting, or paying the several duties by this act granted, shall and are hereby required once in every year during the continuance of this act to exhibit their respective accounts thereof to the commissioners for taking impreſt accounts for the time being, who shall and are hereby from time to time respectively authorized and required to examine upon oath the said persons accountants, who shall be employed in raising, receiving, or collecting the said duties, what sum or sums of money was or were by them, or any of them, respectively raised, collected, or received within the time of such their accounts, and likewise what part thereof was by them, or any of them, paid into the receipt of his Majesty's treasury, or to the collectors of the inland excise as aforesaid; and in making the said accounts to and before the said commissioners they are to produce proper vouchers for any sum or sums of money, so by them raised, received, and paid; and the said commissioners of impreſt accounts are hereby authorized and required finally to adjust and settle the said accounts, and to give discharges to the said several accountants.

Duties not received by commissioners, account yearly to impreſt commissioners,

accountants examined on oath,

to produce vouchers,

XLIX. And be it further enacted by the authority aforesaid, that when the accounts of the money received for the several duties shall have been so audited, the same shall be signed by the said commissioners of accounts, and shall be at all times to the said officers therein concerned a full and sufficient warrant and discharge to all intents and purposes.

When audited signed by commissioners of accounts, a full discharge.

L. And be it further enacted by the authority aforesaid, that all penalties incurred by this act, unless otherwise directed by this act, may be recovered by any person, who shall sue for the same, by action of debt, bill, plaint, or information in any of his Majesty's courts of record at Dublin, in which no essoign, protection, privilege, or wager of law, or more than one imparlance, shall be allowed.

Penalties, not otherwise directed, to prosecutor.

LI. And be it further enacted by the authority aforesaid, that neither the six pence *per* pound nor any other fee shall be payable to, or deducted or received by, the vice treasurer or vice treasurers, receiver or paymaster general, clerk of the pells, or any other officer or officers of this kingdom, for their own use for or on account of the issuing or payment of any sum or sums of money arising by, or which shall be received for or on account of, the aids hereby granted to his Majesty, or of any payment to be made in pursuance of this act, but that the same shall be received, and duly accounted for to his Majesty, his heirs and successors.

Fees duly accounted for.

CHAP.

A. D. 1775-6.

CHAP. X.

An act for explaining an act, entitled, *An act for granting to his Majesty an additional duty on the several commodities, goods, and merchandizes therein mentioned, and for prohibiting the importation of all gold and silver lace, and of all cambricks and lawns, except of the manufacture of Great Britain.*

Doubts on preamble of the act this session, c. 8.

WHEREAS doubts have arisen, whether the preamble of the act, entitled, *an act for granting to his Majesty an additional duty on the several commodities, goods, and merchandizes therein mentioned, and for prohibiting the importation of all gold and silver lace, and of all cambricks and lawns, except of the manufacture of Great Britain*, was intended to render ineffectual the addresses of both houses of parliament in the present session relative to the sending four thousand men out of this kingdom: be it declared by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that nothing in the said preamble contained shall be construed to render ineffectual the said addresses, so far as they relate to the four thousand men to be sent out of this kingdom.

preamble thereof shall not render ineffectual addresses relative to sending out 4000 men.

CHAP. XI.

An act to explain and amend an act made in the eleventh year of the reign of his present Majesty, entitled, *An act to enable the speaker of the house of commons to issue his warrants to make out new writs for the choice of members to serve in parliament in the room of such members, as shall die during the recess of parliament, and for enabling the speaker of the house of commons to make out new writs for the choice of members to serve in parliament in the room of such members, as shall during the recess of parliament become peers of Ireland, and be summoned to parliament.*

11 G. 3. c. 10. recited,

WHEREAS by an act passed in the eleventh year of the reign of his present Majesty, entitled, (*An act to enable the speaker of the house of commons to issue his warrants to make out new writs for the choice of members to serve in parliament in the room of such members as shall die during the recess of parliament,*) the speaker of the house of commons is required to issue his warrant to the

A. D. 1775-6. Chap. 11.

clerk of the crown to make out new writs in the room of members, who die during a receſs of parliament for more than twenty days, whether by prorogation or adjournment, the deaths of ſuch members having been certified in writing to him under the hands of two members of the houſe of commons, and fourteen days notice being firſt given by the ſpeaker of the houſe of commons thereof, and of his intentions to iſſue ſuch warrants, by inſerting ſuch notice in the Dublin gazette: and whereas inconveniencies might ariſe, if ſuch notice ſhould be inſerted in the Dublin gazette, and ſuch warrant ſhould be iſſued by the ſpeaker of the houſe of commons, in the caſe of the death of a member which ſhall not be certified to the ſpeaker of the houſe of commons ſo long before the actual meeting of the houſe of commons for the diſpatch of buſineſs, as that the ſaid notice may be inſerted, and the fourteen days expired, before the ſaid meeting of the houſe of commons, or in the caſe of the death of a member, againſt whoſe election or return a petition had been preſented to the houſe of commons, and was depending at the time of ſuch prorogation or adjournment: for preventing the ſame be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that nothing in the ſaid act contained extends, or ſhall be conſtrued to extend, to require the ſpeaker of the houſe of commons to inſert notice in the Dublin gazette, or iſſue his warrant to make out a new writ in the room of any member deceaſed, whoſe death ſhall not be duly certified to the ſpeaker of the houſe of commons ſo long before the actual meeting of the houſe of commons for the diſpatch of buſineſs, as that the ſpeaker of the houſe of commons may be able to inſert notice thereof, and of his intention to iſſue ſuch warrant, fourteen days at the leaſt before ſuch meeting of the houſe of commons, or for the election of a member to ſerve in parliament for any county, city, borough, or place in the room of any member deceaſed, againſt whoſe election or return for ſuch county, city, borough, or place, a petition had been preſented to the houſe of commons, and was actually depending at the time of ſuch prorogation or adjournment.

not to require ſpeaker's notice in gazette or warrant for new writ, where member's death not certified to him ſo as there may be 14 days notice before actual meeting, and for election where petition depending at prorogation or adjournment.

II. And whereas it would tend ſtill further to promote the purpoſes of the ſaid act, and to prevent thoſe inconveniencies and diſorders which may be occaſioned for want of more ſpeedy elections of members of the houſe of commons, if the proviſions of the ſaid act were extended to the caſes of members, who ſhall

Speaker during receſs above 20 days ſhall iſſue warrants for new writs, on

become peers of Ireland: be it enacted by the authority aforesaid, that from and after the end of this present session of parliament it shall and may be lawful for the speaker of the house of commons for the time being during the recess of parliament for more than twenty days, whether by prorogation or adjournment, and he is hereby required, to issue his warrants to the clerk of the crown to make out new writs for electing members of the house of commons in the room of such members, as shall during such recess become peers of Ireland, as soon as he shall receive notice by a certificate under the hands of two members of the house of commons, that a writ of summons hath been issued under the great seal of Ireland to summon the said members to parliament. A. D. 1775-6.

members becoming peers, and certificate by 2 of summons under G. seal.

III. Provided that after the receipt of such certificate the like notice in the Dublin gazette shall be given by the speaker, as is required in the case of members deceased; and such notice and warrant shall be subject and liable to the same exceptions and regulations, as are required by the said act and by this present act in the case of notices to be given, and warrants to be issued in the room of members dying during a recess.

Like notice and regulations as where members die during recess.

CHAP. XII.

An act for altering and amending an act passed in the twenty fifth year of the reign of his late Majesty king George the second, entitled, *An act for making and repairing the road leading from the town of Athy in the county of Kildare through part of the Queen's county, and through the town of Castlecomer in the county of Kilkenny, to the town of Old Leighlin in the county of Carlow, and from thence to and through the town of Leighlinbridge in the said county of Carlow.*

WHEREAS by an act made and passed in the twenty fifth year of his late Majesty king George the second, entitled, *An act for making and repairing the road leading from the town of Athy in the county of Kildare through part of the Queen's county, and through the town of Castlecomer in the county of Kilkenny to the town of Old Leighlin in the county of Carlow, and from thence to and through the town of Leighlinbridge in the said county of Carlow,* several tolls and duties are charged on horses, mares, geldings, cattle, coaches, berlins, chariots, calashes, chairs, waggons, wains, carts, cars, or other carriages passing or repassing through the said roads; and amongst other duties or tolls a duty or toll of one penny for

25 G. 2. c. 19. recited,

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for every car or other carriage drawn but by one horſe, mare, or gelding, excepting carts and horſes loaden with turf: and whereas the ſaid tolls and duties are inſufficient to keep the ſaid roads in repair, and pay the intereſt of the ſeveral ſums raiſed on the credit of the ſaid act, therefore it will be neceſſary to encreaſe part of the ſaid tolls and duties: therefore be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that in lieu of the ſaid toll or duty of one penny on cars and carriages drawn but by one horſe, mare, or gelding, excepting carts and horſes loaded with turf, the ſum of two pence be paid for every car or carriage as aforeſaid, drawn but by one horſe, mare, or gelding, paſſing or repaſſing on ſaid road, excepting carts and horſes loaded with turf, to the perſon or perſons named in the ſaid recited act, or the ſurvivors of them, or to any five or more of them, or to ſuch perſon or perſons as they, or the ſurvivor of them, or any five or more of them, ſhall authorize or appoint, to and for the uſes and purpoſes in the ſaid recited act ſet forth; the ſaid toll or duty to be paid and recoverable in ſuch manner and form as the other tolls and duties are paid and recoverable in and by the ſaid act.

in lieu of 1d by ſaid act, 2d every car or carriage with 1 horſe, except with turf.

Said act, not otherwiſe altered, in force.

II. And be it further enacted by the authority aforeſaid, that all and every the tolls and duties mentioned in the ſaid act, and all and every the clauſes and matters contained therein, not altered or amended by this act, ſhall be in full force; it not being intended by this act to alter or amend the ſame but in the particular aforeſaid.

CHAP. XIII.

An act for altering, amending, and making more effectual an act, entitled, *An act for repairing the road leading from the green of Kilcullen in the county of Kildare to the town of Athy in the ſame county, and from thence through the town of Stradbally to the town of Timoho in the Queen's county.*

9 G. 2, c. 23.

WHEREAS an act of parliament was made and paſſed in the ninth year of the reign of his late Majeſty George the ſecond, entitled, *An act for repairing the road leading from the green of Kilcullen in the county of Kildare to the town of Athy in the ſame county, and from thence through the town of Stradbally to the town of Timoho in the Queen's county:* And where-

as

as it is found by experience, that the tolls and duties granted and made payable by the said act, have not been sufficient to pay the interest of the debts contracted for making the said roads, and also to keep the same in sufficient order and repair; and that notwithstanding the expence already made thereupon the said road is now in a ruinous condition; and the tolls and duties granted by the said act were to take place and continue from the tenth day of April one thousand seven hundred and thirty seven, for forty one years, and no longer; and it is found expedient to make the several provisions herein after mentioned, for the more effectually amending and repairing the said road, and keeping the same in good order and repair, and for securing the debts now due, or which shall hereafter become due, on account of the said roads for the honest and fair creditors: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that for the better surveying, ordering, amending, and keeping in repair the said highway or road the right honourable William duke of Leinster, Richard earl of Cavan, Charles earl of Drogheda, William earl of Belborough, William earl of Shelburne, Joshua lord viscount Allen, William lord Ashbrooke, the right reverend doctor Richard Jackson bishop of Kildare, the right honourable Thomas Conolly, lord Charles Fitzgerald, sir Fitzgerald Aylmer baronet, sir Kildare Dixon Burrowes baronet, the reverend Cadogan Keating, clerk, the reverend Henry Beatty, clerk, the reverend Anthony Weldon, clerk, the sovereign of the town of Athy for the time being, his Majesty's justices of the peace for the counties through which said roads run, Arthur Pomeroy, Maurice Keating, John Bourke the elder, John Bourke the younger, the honourable Edward Stratford, and John Stratford, William Burgh, Thomas Burgh, esquires; the right honourable earl of Wandesford, the reverend Henry Tilson, the reverend Arthur Conolly clerk, the reverend John Hunt, clerk, Henry Boyle Carter, Roger Palmer, Richard Levinge, Peter Bere, Ponsonby Moore, John Digby, Simon Digby, William Burton, major Edward Harman, Thomas Allen, esquires, James Varielles, Charles Dowling Medlicott, Thomas Fitzgerald, William Harrington, George Daker, George Chapman, Joseph Chapman, gentlemen, Joseph Higginson, esquire, Thomas Ryves, John Annesley, Stewart Weldon, Robert Fish, Benjamin Fish, James Carroll, Robert Power, Francis Yates, Francis Brown, esquires, Daniel Brown, Alexander Bradford, Hunt Chambre, Joshua Johnston, William Percival, George Warren,

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tolls insufficient,

trustees named,

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Warren, Richard Beard, Walter Fitzgerald, William Pillſworth, Thomas Pillſworth, gentlemen, major general Walſh, captain Philip Coſby, John Barrington, Robert Green, eſquires, Chriſtopher Baggot, James Hoyſted, Thomas Fitzgerald the younger, Benjamin Bennett, William Richardſon, Richard Wolfe, Michael Archbold, gentlemen, John Smith, John Higginbotham, Weſtenra, Michael Keating, William Bunbury eſquires, William Naſſau Green, gentleman, Bowen Southwell, John Hobſon, Godfrey Green, Joſeph Deane, Vere Hunt, eſquires, Daniel Manſergh, Henry Bowen, Joſeph Purcell, Lewis Moore, Abraham Rider, John Jackſon, Henry Dickſon, Michael Lewis, Thomas Rawſon, gentlemen, John Bambrick and David Latouche, eſquires, the reverend Thomas Carr, D. D. and the ſurvivor or ſurvivors of them, ſhall be and are hereby nominated and appointed truſtees of the ſaid road, and they or any five or more of them, or ſuch perſon or perſons as they ſhall authorize and appoint, ſhall and may after the firſt day of April one thouſand ſeven hundred and ſeventy ſix erect, or cauſe to be erected, one or more gate or gates, turnpike or turnpikes, in, upon, or acroſs any part or parts of ſaid highway or road, and alſo a toll-

the toll,

houſe or toll-houſes, and there ſhall receive and take the tolls and duties following, before any horſe, mare, gelding, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, capriole, wain, cart, car, or other carriage ſhall be permitted to paſs through the ſame, to wit, for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by ſix horſes, geldings, mares, or mules, two ſhillings; and for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by four geldings, mares, or mules, one ſhilling and ſix pence; and for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by two horſes, mares, geldings, aſſes, or mules, one ſhilling; for every waggon, wain, cart or carriage with four wheels, five ſhillings; for every waggon, wain, cart or carriage with two wheels, drawn by three or more horſes, geldings, mares, mules, aſſes, or beaſts of draft, three ſhillings; for every waggon, wain, cart, or carriage of two wheels, drawn by two horſes, geldings, mares, mules, aſſes, or beaſts of draft, ſix pence; for every carriage, commonly called a chair, or chaiſe, or capriole, drawn by one horſe, gelding, mare, or mule, ſix pence; for every cart, car or other carriage having but one horſe, mare, gelding, mule, aſs, or beaſt of draft, two pence, except cars and other carriages laden with turf only, and drawn by one horſe, gelding, mare, mule, aſs, or beaſt of draft, which are hereby excepted from any of ſaid tolls; for every horſe, mare,

gelding, mule, or ass with any person riding thereon, two pence; for every horse, mare, gelding, mule, or ass, laden or unladen, and not drawing or having any person riding thereon, three half pence; for every drove or score of oxen, cows, or neat cattle, two shillings and six pence, and so in proportion for any greater or lesser number; for every drove of calves, hogs, sheep, goats, or lambs, one shilling and three pence by the score, and so in proportion for any greater or lesser number; and for every carriage, whereon shall be carried on or borne any millstone, two shillings and six pence: which said respective sum and sums of money shall be demanded and taken in the name of or as a toll or duty; and the money so to be raised as aforesaid is and shall hereby be vested in the said trustees; and the same and every part thereof shall be paid, applied, disposed of, and assigned to and for the several uses, intents, and purposes, and in such manner, as is herein after mentioned and directed; and the said trustees, or any five or more of them, are hereby empowered by themselves, or any person or persons by them or any five or more of them, under their hands and seals thereunto authorized, to levy the toll or duty hereby required to be paid upon any person or persons, who shall after demand made thereof neglect or refuse to pay the same, by distress of any horse or horses, or other cattle, or goods, upon which such toll or duty is by this act imposed, or upon any of the goods and chattles of such person or persons who ought to pay the same, and may detain and keep the same, until such toll or duty with the reasonable charges of such distraining and keeping shall be paid; and it shall and may be lawful to and for the person or persons so distraining, after the space of five days after such distress made and taken, to sell the goods distrained, returning the overplus (if any be) upon demand to the owner thereof, after such toll, duty, and reasonable charges for distraining and keeping the same, shall be deducted and paid.

5 may levy on refusal by distress and sale.

II. And be it further enacted by the authority aforesaid, that out of the first money, arising from the profits of the several turnpikes to be erected, the said trustees, or any five or more of them, shall first pay and discharge the expence of procuring this act of parliament, and of erecting such turnpike or turnpikes, and building such toll house or toll houses; and from and after such charges and expences shall be fully satisfied and paid, that then and from thenceforth the profits arising, and the toll to be collected at any turnpike or turnpikes, that now are or shall hereafter be erected or set up on the road leading from the green

Charges first paid,

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green of Kilcullen in the county of Kildare to the town of Athy in the ſaid county, and from thence to the town of Timohoe in the Queen's county aforeſaid, ſhall be applied for and towards the repair of the ſaid road, beginning ſuch repairs at the green of Kilcullen, and continuing the ſame directly on through the town of Athy to the bounds of the county of Kildare; and after the ſaid road from the green of Kilcullen to the bounds of the county of Kildare ſhall be compleatly amended and repaired, all arrears of intereſt now due on the ſeveral ſums of money advanced by the reſpective creditors of the ſaid turnpike road upon the credit of the tolls eſtabliſhed by the ſaid recited act of the ninth of George the ſecond, ſhall be diſcharged, that then, and not before, the profit ariſing by ſaid toll, and all ſuch ſum or ſums of money as ſhall be borrowed on the credit of ſaid toll, ſhall be applied towards making and keeping in repair the ſaid road from the bounds of the county of Kildare to the town of Timoho in the Queen's county; and after thoſe purpoſes are compleated, that from thence forward the produce of ſaid tolls ſhall be diſtributed and paid impartially and without preference to each creditor towards the diſcharge of intereſt proportionably to his or her principal ſum advanced or to be advanced on the credit of ſaid tolls; ſuch payments not to exceed the rate of ſix pounds ſterling by the hundred yearly.

then to repair to the bounds of *Kildare*,

and arrears of intereſt on ſums advanced,

then to *Timoho*,

then to intereſt, not above 6 *per cent.*

III. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever owning, renting, or occupying any land near to any turnpike now erected, or hereafter to be erected in purſuance of this act, ſhall for gain, reward, or otherwiſe permit any perſon or perſons whatſoever to paſs through any gate, paſſage, or way with any coach, berlin, chariot, calaſh, chaiſe, or chair, or capriole, waggon, wain, cart, car, or other carriage, or driving or drawing any horſe, aſs, mule, or any ſort of cattle, to avoid the payment of the toll hereby appointed to be paid, and ſhall be thereof convicted upon oath or oaths of one or more witneſs or witneſſes before the ſaid truſtees, or any five or more of them, or before one or more juſtice or juſtices of the peace for the county, wherein ſuch offence or offences ſhall be committed, who are hereby empowered and required to adminiſter ſuch oath, and to hear and determine upon the ſame in a ſummary way, ſuch perſon or perſons ſhall forfeit and pay to the truſtees, authorized to put this act in execution, the ſum of ten ſhillings, to be levied by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal or under the hands and ſeals of the ſaid truſtees, or any five

Permitting paſſage to avoid toll, 10s.

five or more of them, or such justice or justices, rendering the overplus (if any be) to the owner, the charges in taking and disposing of the said goods being first deducted.

Side gates, so as no double charge.

IV. And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the said trustees, or any five or more of them, to erect one or more gate or gates, turnpike or turnpikes, on the side of the highway or road across any way or lane leading out of the said road, and toll-house or toll-houses, and there to receive and take such toll as is appointed by this act to be taken; so as the same do not extend to a double charge in case of passing through any other of the turnpikes, now erected or hereafter to be erected by virtue of this act from the road leading from the green of Kilcullen in the county of Kildare to the town of Athy in the same county, and from thence to the town of Timoho in the Queen's county aforesaid.

5 Trustees may appoint collectors and surveyors,

V. And be it further enacted by the authority aforesaid, that the said trustees, or any five or more of them, at the first meeting or any succeeding meetings by writing under their hands and seals shall and may elect, nominate, and appoint one or more fit person or persons to be receiver or receivers, collector or collectors, of such money in the name of such toll or duty, as shall be due and payable by virtue of this act, and also one or more fit person or persons to be surveyor or surveyors to view the condition of the said highway or road, and to take care that the same be made, amended, and repaired, and that the money arising and expended by virtue of this act be duly applied, and shall and may from time to time remove such collectors, receivers, and surveyors, or any or either of them, as they shall see occasion, and appoint new ones in case of death or of such removal; and such person or persons, as is or are by this act liable to pay the said toll or duty, is and are hereby required to pay the same after the rates aforesaid to the said receiver or receivers, collector or collectors, of the said toll or duty in that behalf from time to time appointed as aforesaid for receiving the said toll or duty; and such receiver or receivers, collector or collectors, surveyor or surveyors, as aforesaid shall upon oath before the said trustees, or any five or more of them, or before one or more justice or justices of the peace residing near the highway or road aforesaid, which oath such trustees, or any five or more of them, or such justice or justices, is and are hereby impowered and required to administer on the first Tuesday in every month, or oftener, if required, during the continuance of this act, give in a true,

and remove,

accountable monthly on oath,

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a true, exact, and perfect account in writing under their reſpective hands of all monies, which he and they, and every or any of them, ſhall to ſuch time have received, paid, and diſburſed by virtue of this act by reaſon of their reſpective offices, for which oath no fee or reward ſhall be taken; and in caſe any money ſo received ſhall remain in their or any of their hands, the ſame ſhall be paid to the ſaid truſtees, or any five or more of them, or to ſuch perſon or perſons as the ſaid truſtees or any five or more of them ſhall by writing or writings under their hands and ſeals authorize and empower to receive the ſame, which ſhall be diſburſed and laid out in amending the ſaid highways or road, and for the other purpoſes herein mentioned, according to the true intent and meaning of this act, and not otherwiſe; and the ſaid truſtees, or any five or more of them, to whom ſuch account ſhall be given, ſhall and may out of the money ariſing by the ſaid toll or duty make ſuch allowance to the receiver or receivers, collector or collectors, and the ſurveyor and ſurveyors, for and in conſideration of his and their care and pains reſpectively taken in the execution of his and their office and offices, and to ſuch other perſon or perſons, who have been or ſhall be aſſiſting in and about procuring the ſaid highway or road to be made, amended, and repaired by advancing or laying out any money, or otherwiſe relating thereunto, as to them ſhall ſeem good; ſo as ſuch allowance or allowances to ſuch collector or collectors do not annually exceed twenty pounds, and to ſuch ſurveyor or ſurveyors any ſum not exceeding two ſhillings *per* day, during ſuch time or times as he or they ſhall be reſpectively employed in the repair of the ſaid road; and ſo as ſuch allowance or allowances to any other perſon or perſons, who ſhall be employed by virtue of this act, does not exceed the ſum of fifteen pounds yearly to each perſon; and in caſe the ſaid receiver or receivers, collector or collectors, of the aforeſaid toll or duty, ſurveyor or ſurveyors, or any of them, ſhall not make ſuch account or payment unto ſuch perſon or perſons according to the orders or directions of the ſaid truſtees, or any five or more of them as aforeſaid, that then the ſaid juſtices of the peace, at any ſpecial ſeſſion or meeting of them to be holden for the county, in which ſuch receiver or receivers, collector or collectors, ſurveyor or ſurveyors, have acted or been employed, and made ſuch default as aforeſaid, ſhall and are hereby required and impowered to make inquiry, and finally to determine of and concerning ſuch default, as well by the confeſſion of the ſaid parties themſelves, as by the teſtimony of one or more credible witneſs

residue to truſtees for purpoſes of this act,

allowance to collectors not above 20l. a year,

ſurveyors 2s. a day,

others 15l. a year each, defaults inquired at ſeſſions,

witneſs or witneſſes upon oath, which oath they are empowered and required to adminiſter without fee or reward; and if any perſon or perſons ſhall be convicted thereof by ſuch juſtices, the ſaid juſtices ſhall upon ſuch conviction commit the party or parties to the common gaol of the county, where ſuch offence ſhall be committed, there to remain without bail or mainprize until he or they ſhall have made a true and perfect account and payment as aforeſaid.

impriſonment till account and payment.

VI. And the better to prevent frauds, and the avoiding payment of the ſaid tolls, duties, or cuſtoms, be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any nine or more of them, to make, erect, and fix one or more gate or gates, turnpike or turnpikes, at or on the ſeveral and reſpective roads leading to the ſeveral fords or paſſages in or through the river Barrow at and between the towns and lands of Miltown and Magenney in the ſaid county of Kildare, and there to levy, collect, and take the ſeveral and reſpective tolls, duties, or cuſtoms aforeſaid, to be paid and applied to the uſes and in the manner aforeſaid.

Turnpikes at fords in the *Barrow* by 9 truſtees.

VII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſurveyor and ſurveyors, and ſuch perſon or perſons as he or they ſhall appoint, to dig, raiſe, gather, take, and carry away any gravel, furze, ſand, ſtones, or other materials, out of any waſte or common of any pariſh, town, village, or hamlet, in or near which any founderous or ruinous places of the ſaid highway or road do lye; and for want of ſufficient gravel, furze, ſand, ſtones, or other materials there, to dig, gather, raiſe, take and carry away the ſame out of the waſte or common of any neighbouring pariſh, town, village, or hamlet, without paying any thing for the ſame; and where there is not ſufficient of ſaid materials in any common or waſte grounds near adjoining, it ſhall and may be lawful for them by order of the ſaid truſtees or any five or more of them in writing to dig, raiſe, and gather the ſame in the ſeveral grounds of any perſon or perſons, not being built upon, and not being a park, garden, orchard, yard, or meadow, planted walk or walks, or avenue to a houſe, where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof, as the ſaid ſurveyor or ſurveyors in their reſpective places ſhall adjudge neceſſary for amending and repairing the ſaid highway or road, paying ſuch rates for ſuch materials to the owner or occupier of the ground from whence the ſame ſhall be digged, raiſed, gathered, and carried away,

Surveyors may raiſe materials,

except in parks, &c.

paying damage as by 5 truſtees,

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away, as the truſtees, or any five or more of them, appointed or to be appointed to put this act in execution, ſhall adjudge reaſonable; and in caſe any difference between ſuch owner or occupier and the ſaid truſtees touching the damage aforeſaid ſhall ariſe, the judge of aſſize at the next general aſſizes and general gaol delivery to be holden in ſuch county, where ſuch materials ſhall be digged, raiſed, or gathered, and from whence the ſame ſhall be carried away, may and ſhall adjudge, aſſeſs, and finally determine the ſame.

ſettled at aſſizes.

Annoyances removed,

VIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſurveyor or ſurveyors, and ſuch perſon or perſons as he or they ſhall appoint, from time to time to remove and prevent any annoyance or annoyances on any part of the ſaid highway or road hereby intended to be made, amended, or repaired, by filth, dung, aſhes, rubbiſh, water-courſes, ſinks, or drains running into the ſaid highway or road, and to cleanſe any ditch or water-courſes adjoining to the ſaid road, and to cut down, lop, or top any trees or buſhes growing on the ſaid highway, or in the hedges or banks immediately adjoining upon the ſaid highway, and to take away and remove the ſame, the owner or occupier neglecting to cut down ſuch trees or buſhes, or to remove ſuch annoyance or annoyances, for the ſpace of ten days after notice in writing given for that purpoſe under the hands of five or more of the ſaid truſtees, the charges whereof ſhall be reimburſed by ſuch owner or occupiers neglecting to cut down the ſaid trees or buſhes, or to remove ſuch other annoyance or annoyances as aforeſaid. And if after the removal of ſuch annoyance or annoyances any perſon or perſons ſhall again offend in like kind, every ſuch perſon or perſons ſo offending, and being thereof convicted upon the oath of one or more witneſs or witneſſes before one or more juſtice or juſtices of the peace for the ſaid county, where ſuch offence ſhall be committed (which oath the ſaid juſtices are hereby required to adminiſter, and to enquire into and determine upon the ſaid offences in a ſummary way) ſhall for every ſuch offence forfeit and pay unto the ſaid truſtees where ſuch offence ſhall be committed, ten ſhillings, to be levied in manner aforeſaid.

2d offence 10s.

Cauſeways and drains made,

IX. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors by order of the ſaid truſtees, or any five or more of them, to make or cauſe to be made cauſeways upon the ſaid walk, and to cut and make drains through any grounds lying contiguous

contiguous to the ſaid roads, and to erect arches of brick, timber, or ſtone thereupon, and alſo to widen any of the narrow parts of the ſaid highway or roads by opening, clearing, and laying into the ſaid highway or road any ground of any perſon or perſons lying contiguous to ſuch highway or road, ſuch ground to be uſed in any of the ways above mentioned, not being built upon, and not being a park, garden, orchard, yard, planted walk, or avenue to a houſe, and alſo to cauſe ditches or trenches to be made in ſuch places as aforeſaid, and in ſuch manner as the ſaid truſtees, or any five or more of them, ſhall adjudge neceſſary for the better amending and keeping of the ſaid highway or road in good repair, making ſuch reaſonable ſatisfaction to the owner or occupier of ſuch ground, which ſhall be ſo laid in or unto ſuch highway or road, or through which any ſuch drain or drains ſhall be cut, on which any ſuch arch or arches ſhall be made, for the damages which he or they ſhall or may thereby ſuſtain, as ſhall be aſſeſſed and adjudged by the judge or judges of the aſſizes to be holden next after the ſame ſhall be done, or by the juſtices of the peace, or the major part of them, at the next general aſſizes or quarter ſeſſions to be holden for the county, in which ſuch ground lies, which ſhall be laid into the ſaid highway or road, and through which any ſuch drain or drains, ditch or ditches, ſhall be cut or made, or on which ſuch arch or arches ſhall be erected or made, or ſuch ground ſhall be laid into the ſaid roads, in caſe of any difference concerning the ſame, which the ſaid judges of aſſize or juſtices at the quarter ſeſſions are hereby authorized to hear and determine in a ſummary way; and if any owner or occupier of any water-courſes, ditch or ditches, adjoining to the ſaid highway or road, ſhall neglect or refuſe to ſcour or cleanſe ſuch water-courſe or water-courſes, and to make ſuch ditch or ditches ſo deep, and in ſuch manner as the ſurveyor or ſurveyors ſhall adjudge proper and convenient, after eight days notice ſhall be given for that purpoſe by ſuch ſurveyor or ſurveyors, or ſuch perſon or perſons as ſhall be appointed by him or them, to ſuch owner or occupier, it ſhall and may be lawful to and for the ſurveyor and ſurveyors to ſet any man or men to work to ſcour or cleanſe and make the ſame, and by warrant in writing under the hands and ſeals of any five or more of the ſaid truſtees to levy the charge thereof upon the goods or eſtates of the owner or owners, or occupier or occupiers, of ſuch water-courſes, ditch or ditches, by diſtreſs and ſale of his, her, or their goods and chattles, rendering the overplus (if any be) to the ſaid owner or occupier after all charges paid.

road widened;

ditches and trenches;

on ſatisfaction for damage.

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Complaint by owner at ſeſſions,

X. Provided always, and be it enacted, that if any ſuch owner or occupier ſhall find him or herſelf aggrieved by the ſaid ſurveyors in making or enlarging ſuch water-courſes, ditches, or any of them, of or to unneceſſary or unreaſonable dimenſions, or in more inconvenient places or greater number than ſhall be neceſſary, or ſhall demand or require unreaſonable ſums of money for doing the ſame, it ſhall be lawful for ſuch owner or occupier to complain to the next quarter ſeſſions of the peace to be holden for the county, where ſuch cauſe of complaint ſhall ariſe, giving eight days notice to the ſaid ſurveyor thereof, which court ſhall have full power and authority to give ſuch relief in the premiſſes, as ſhall be juſt; and if ſuch cauſe of complaint ſhall happen within fourteen days before the holding of ſuch next quarter ſeſſions, it ſhall be lawful in like manner to make ſuch complaint at the ſecond quarter ſeſſions, to be holden in ſuch county after the cauſe of ſuch complaint ſhall ariſe.

The road ſhortened.

XI. And whereas the ſaid highway or road leading from the green of Kilcullen in the county of Kildare to the town of Athy in the ſame county, and from thence to the town of Timoho in the Queen's county, may be conſiderably ſhortened, and made much more convenient for travellers, if the ſame was carried more ſtraight, and in a more direct line: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any five or more of them, to aſcertain, deſcribe, and ſet apart ſuch a part and proportion of the lands adjoining or contiguous to the ſaid highway or road, as they the ſaid truſtees, or any five or more of them, ſhall adjudge neceſſary for carrying the ſame in a more direct line, provided that no part of the ſaid lands ſo to be ſet apart be built on, and that the ſame be not part of any garden, orchard, yard, planted walk, or avenue to a houſe, or of any park or paddock for deer, or any field incloſed with a ſtone wall five feet high made with lime and ſand; and the ſaid truſtees, or any five or more of them, are hereby further authorized and impowered to treat and agree with the owner or owners, or others intereſted in the ſaid ground to be made uſe of in carrying on the ſaid road ſtraight as aforeſaid, for ſuch recompence and ſatisfaction to be made for the ſame out of the tolls and duties ariſing by virtue of this act, as the ſaid truſtees, or any five or more of them, ſhall think fit and reaſonable; and in caſe any perſon or perſons ſhall neglect or refuſe to treat or agree as aforeſaid, or through any diſability by nonage, coverture, or ſpecial limitation in any ſettlement or ſettlements, or by reaſon of any other impediment, cannot, or otherwiſe howſoever

ſhall refuſe to, diſpoſe of their reſpective intereſts in ſuch land, as the ſaid truſtees, or any five or more of them, ſhall think convenient for the ſhortening the ſaid road, in every ſuch caſe the ſaid truſtees, or any five or more of them, are hereby authorized and impowered to iſſue forth their warrant or warrants to the ſheriff or ſheriffs of the county, wherein ſuch ground doth lie, to impannel and return before the ſaid truſtees, or any five or more of them, at ſuch time and place within the ſaid county as ſhall be appointed in ſuch warrant or warrants (of which day and time for hearing notice is to be given to the party at leaſt five days before) a ſufficient jury, who upon their oaths, which ſaid oaths the ſaid truſtees, or any five or more of them, are hereby impowered and required to adminiſter, ſhall enquire into the true and real value of ſuch ground to be made uſe of for the ſaid highway or road; and ſuch verdicts or inquiſitions, as ſhall be found and returned by the ſaid jury, aſcertaining the value of ſuch ground, ſhall be final and concluſive as well to the ſaid truſtees, as to the ſeveral and reſpective owners and proprietors of ſuch ground, notwithſtanding any diſability or incapacity whatſoever.

9 truſtees may borrow on aſſignment of toll.

XII. And foraſmuch as the money to be collected by ſuch receipt of the ſaid toll will not at preſent be ſufficient for the ſpeedy repairing of the ſaid highway or road: be it enacted by the authority aforeſaid, that the ſaid truſtees, or any nine or more of them, ſhall and may, and are hereby empowered from time to time, by writing under their reſpective hands and ſeals to aſſign over the ſaid toll or duty hereby granted, or any part thereof, the coſts and charges whereof are to be borne and paid out of ſuch toll or duty, for any term or time during the continuance of this act, as a ſecurity for any ſum or ſums of money, by them to be borrowed for that purpoſe, to ſuch perſon or perſons or their truſtees as ſhall advance or lend the ſame, to ſecure the repayment thereof, with lawful intereſt, or leſs, if the ſame can be ſo had; which money borrowed ſhall be applied and diſpoſed of towards all or any of the purpoſes by this act mentioned.

Order to pay intereſt,

XIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any nine or more of them, from time to time during the continuance of this preſent act to make out warrants or orders in writing under their hands, directed to the treaſurer or receiver of the ſaid tolls, requiring him to pay thereout to the perſon or perſons named in ſuch warrant or order, their executors, adminiſtrators, and aſſigns, the growing intereſt of the ſum of money mentioned in ſuch

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such warrant or order, as the same shall from time to time become due, until such time as the principal sum mentioned in such warrant or order shall be paid off and discharged at one entire payment, or otherwise; provided that no warrant or order to be issued to the said treasurer or receiver by virtue of this act shall be for any greater sum than fifty pounds.

no warrant above 50l.

XIV. And be it further enacted by the authority aforesaid, that all and every person or persons, to whom such warrant or order shall be given, his, her, or their executors or administrators, may by endorsements on such order or orders or receipts transfer the rights and benefit of the sum mentioned in such warrant or warrants, order or orders, which endorsements upon notice to the treasurer or receiver of the said tolls, and an entry or memorial thereof made in a book to be kept for that purpose, which the said treasurer or receiver shall upon request without charge, fee, or reward, make accordingly, and shall on the like request permit to be viewed at reasonable hours without fee or reward, shall entitle the indorsee or assignee, his or her executors, administrators, or assigns, to the sole benefit of the sum so transferred or assigned; and that the said warrant or order may in like manner be assigned or transferred by such assignee, his or her executors or administrators, and so *toties quoties*, and that after such assignment it shall not be in the power of the person or persons, who made such assignment, to make void, release, or discharge the said assignment, or the sum thereby transferred or assigned, or any part thereof.

Transferable by indorsement.

XV. And be it further enacted by the authority aforesaid, that the treasurer or receiver of the said tolls shall arithmetically number all the warrants or orders, which shall be given or delivered out in pursuance of this act, as they shall be delivered out, commencing by number one, and so continuing the numbers until the whole be arithmetically numbred.

Numbered.

XVI. And be it further enacted by the authority aforesaid, that the several tolls and duties hereby made payable shall be applied and paid to and for the purposes herein before mentioned, and also to the discharge of the interest of so much money as shall be borrowed in pursuance of this act; and that all the surplus of the said tolls and duties hereby made payable, over and above what shall be sufficient to discharge the said interest, and make and repair the said road, shall be applied in discharge of the principal money so borrowed or to be borrowed in the manner hereinafter mentioned, viz. that when and as often as such surplus received by the said treasurer or receiver shall

Surplus 200l. drawn by ballot at *Athy*.

ſhall amount to the ſum of two hundred pounds, then the ſaid treaſurer or receiver ſhall cauſe the number of all the warrants or orders, which ſhall be iſſued and delivered out in purſuance of this act, and the ſums therein contained, to be written on ſeveral tickets or pieces of parchment, and to be rolled and ſealed up, and put into a box or urn, and well mixed together, and an indifferent perſon, to be appointed by the ſaid truſtees or any five or more of them, ſhall publickly between the hours of ten and twelve in the forenoon of a day, to be by the ſaid truſtees or receiver publickly advertiſed in the Dublin gazette for that purpoſe at leaſt twenty days before, at the town of Athy draw out of ſuch box or urn as many of the ſaid tickets or pieces of parchment, as the ſums therein contained ſhall amount to the ſaid ſum of two hundred pounds; and the perſon or perſons, the number of whoſe warrant or warrants, order or orders, his, her, or their executors, adminiſtrators, or aſſigns, ſhall, within twenty days after the ſaid warrants or orders ſhall be ſo drawn, be paid by the ſaid treaſurer or receiver the principal ſums to him or them reſpectively due, with the intereſt for the ſame till paid, and ſhall upon payment thereof deliver up his or their ſeveral and reſpective warrants or orders to the ſaid treaſurer or receiver to be cancelled, which he is hereby required to cancel accordingly, and the intereſt payable by virtue of ſuch warrants or orders ſhall ceaſe from the expiration of twenty days, to be counted from the day of drawing ſaid tickets or pieces of parchment.

Toll at 1ſt gate.

XVII. Provided always, that in caſe there ſhall be more than one gate or turnpike in, acroſs, or on the ſide of the ſaid highway or road between the ſaid green of Kilcullen in the county of Kildare to the town of Athy in the ſame county, and from thence to the town of Timoho in the Queen's county, no perſon or perſons having paid the toll or duty at the firſt gate or turnpike, through which ſuch perſon or perſons ſhall paſs, and producing a note or ticket that the ſaid toll or duty was paid, which note or ticket the ſaid receiver or receivers, collector or collectors, is and are hereby required to give gratis, ſhall be liable to pay any toll or duty at any other of the ſaid gates or turnpikes upon the ſaid highway or road, ſuch perſon or perſons delivering the ſaid note or ticket to the ſaid receiver or receivers, collector or collectors, of the ſaid toll or duty, at the latter gate or turnpike the ſame day; and no perſon or perſons having occaſion to paſs the place or places, where the toll or duty is taken, who ſhall return the ſame day upon or with the ſame horſe,

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mare, gelding, aſs, mule, cattle, coach, chariot, berlin, chaiſe, chair, calaſh, waggon, cart, car, or other carriage, ſhall be liable or compellable the ſame day to pay the ſaid toll or duty more than once in the ſame road.

Tickets given to avoid toll, 10s.

XVIII. And for preventing frauds and abuſes in the ſaid toll or duty be it enacted by the authority aforeſaid, that if any perſon or perſons, having paid the ſaid toll or duty by this act granted and made payable, and having ſuch note or ticket, notes or tickets, as hereby directed, ſhall give or diſpoſe of the ſame to any perſon or perſons in order to avoid the payment of the ſaid toll or duty, every ſuch perſon giving, diſpoſing, or offering, and the perſon receiving, ſuch note or ticket, notes or tickets, and being thereof convicted upon the oath of any one or more witneſs or witneſſes before the ſaid truſtees, or any five or more of them, or before one or more juſtice or juſtices of the peace for the county where ſuch offence or offences ſhall be committed, which oath the ſaid truſtees and the ſaid juſtice or juſtices are hereby empowered to adminiſter, and to hear and determine the ſaid offences in a ſummary way, ſhall reſpectively forfeit and pay the ſum of ten ſhillings, to be levied, recovered, and diſpoſed of, as any other penalty or forfeiture is directed to be levied, recovered, and diſpoſed of by this act.

Toll free on elections.

XIX. Provided always, and it is hereby declared, that during the continuance of this act all coaches and paſſengers on horſe back ſhall paſs and repaſs toll free on the day, on which there ſhall be an election for knight or knights of the ſhire for the ſaid county of Kildare or Queen's county, or for any burgeſs or burgeſſes to ſerve in parliament for any borough or boroughs in the ſaid counties reſpectively, any thing herein contained to the contrary notwithſtanding.

5 truſtees may compound.

XX. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any five or more of them, may and are hereby impowered from time to time, as they ſhall ſee convenient or think fit, to compound or agree by the year or otherwiſe with any perſon or perſons uſing to travel through the turnpike or turnpikes, now erected or to be erected, with any milch cows, horſe, mare, or gelding, aſs or mule, or with any coach, berlin, calaſh, chaiſe, chair, waggon, cart, car, or other carriage, for any ſum or ſums of money, to be paid quarterly from time to time after ſuch agreement ſhall be made.

Exempt from toll,

XXI. Provided alſo, and it is hereby declared, that no perſon ſhall be charged with any of the tolls or duties aforeſaid, who

shall pass through any of the turnpikes, now erected or to be erected by virtue of this act, who shall carry any quantity of stones, gravel, or other materials for making or repairing the said road, or any of the roads in the parishes in which the same do lie, or in any of the neighbouring parishes, nor shall any person or persons be chargeable with the said toll or duty for any carts, cars, or waggons loaden with corn in the straw only, nor for any plows, harrows, or other implements of husbandry in order to the using or repairing of the same in the several parishes, which the said highway or road hereby intended to be made or repaired do lie; nor shall any toll or duty be demanded or taken at any of the turnpikes now erected, or to be erected, for any horse, mare, or gelding, ass, or mule, or other cattle going to water, or for any post horse carrying the mail or packet, or for such horse as is or shall be used only to ride on by the owner or driver of any waggon, cart, car, or carriage; provided such horse pass through the said turnpike or turnpikes with such waggon, cart, car, or carriage; nor shall any toll or duty be demanded or taken for the horses of soldiers passing, that are upon their march, or for waggons, carts, cars, or other carriages attending them, nor for horses, waggons, carts, cars or other carriages travelling with vagrants sent by passes, or with prisoners transmitted from one part of the kingdom to another.

Continued 61 years from 1st April 1776.

XXII. And be it further enacted by the authority aforesaid, that the tolls or duties hereby granted shall take place and have continuance from and after the first day of April one thousand seven hundred and seventy six for and during the term of sixty one years.

On adjudication of trustees, and repayment, toll decreased half.

XXIII. Provided nevertheless, that if at any time before the expiration of the said term of sixty one years all the parts of the said road shall be sufficiently made, amended, and repaired, and so adjudged by the majority of the trustees appointed, or hereafter to be chosen by virtue of this act, by an adjudication made, and after repayment of such sums of money as have or shall have been advanced or borrowed, with interest for the same and the costs and charges thereof, then and in such case the said tolls and duties shall be decreased respectively one half of their present amount payable by virtue of this act; the said reserved moiety to be applied towards keeping up and preserving the said road in repair.

Vacancies supplied.

XXIV. And be it further enacted by the authority aforesaid, that for the continuing a sufficient number of able persons to be trustees for putting in execution all and every the powers in this act contained for and during the continuance thereof it shall and

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and may be lawful to and for the ſaid truſtees, or any five or more of them, upon the death of any of the ſaid truſtees, or their removal, or refuſing to act in the ſaid truſt, from time to time, and at all times hereafter, during the term aforeſaid, to elect, nominate, and appoint in the room of ſuch truſtee or truſtees, ſo deceaſed, removed, or refuſing to act, another fit and able perſon, or ſo many more fit and able perſons, living in the ſaid county of Kildare and Queen's county, to be joined with the ſaid truſtees in the execution of all and every the powers in them repoſed by virtue of this act; and all and every perſon and perſons ſo to be choſen truſtee or truſtees to join in putting this act in execution, as they are herein before qualified to do, ſhall and may, and are hereby impowered to, act to all intents and purpoſes in as full, large, and ample manner, as the ſaid truſtees are by this act impowered to do, and ſo *toties quoties* as often as occaſion ſhall require.

Board at *Athy* 1ſt May,

14 days advertiſement,

XXV. And be it further enacted by the authority aforeſaid, that the clerk and treaſurer of the ſaid turnpike ſhall fourteen days previous to the firſt day of May in every year during the continuance of this act give publick notice by advertiſement in the Dublin gazette of a board to be held in the town of Athy in the county of Kildare on the ſaid firſt day of May between the hours of eleven and three o'clock, at which the ſaid truſtees, or any nine or more of them, ſhall and may proceed to examine the ſeveral accounts of the ſaid turnpike; and the ſaid clerk and treaſurer are hereby authorized and directed to produce their reſpective books containing entries of the ſeveral receipts and payments of money, and of all accounts whatſoever relating to the ſaid turnpike; at which board the ſeveral creditors of the ſaid turnpike or their agents may regiſter their reſpective debentures, and ſettle their ſeveral accounts, with the ſaid clerk and treaſurer; and receive from ſaid truſtees ſuch payments of intereſt or principal, as the funds of ſaid turnpike will enable the ſaid truſtees to make ſuch payments to be made in ſuch manner; and under ſuch reſtrictions as are already mentioned in this act.

books produced,

accounts ſettled.

Meeting appointed.

XXVI. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any fifteen or more of them, ſhall meet at Athy in the county of Kildare on the firſt day of April next; and the ſaid truſtees may then adjourn themſelves, and afterwards meet there, or at any other place or places near the ſaid highway or road to be made or repaired, as the ſaid truſtees, or any five or more of them, ſhall think proper and convenient, as often as it ſhall be neceſſary for the putting this act into execution;

ecution; and if it shall happen, that there shall not appear at any meeting, which shall be appointed to be had or held by the said trustees, a sufficient number of trustees to act at such meeting and to adjourn to any other day, then and in such case the clerk of the said trustees by notice in writing, to be affixed at the respective gates or turnpikes at least ten days before the next meeting, shall appoint the said trustees to meet at the house, where the meeting of the said trustees was last appointed to be had, or at some other convenient house near the said road, on that day fortnight upon which such last meeting of the trustees was appointed to have been held; and that the said trustees at their first meeting and at all other subsequent meetings shall defray their own charges and expences.

No place of profit to trustee,

XXVII. Provided always, and be it further enacted by the authority aforesaid, that no person or persons, appointed or to be appointed by this act a trustee or trustees for putting this act in execution, shall have or accept of any place of profit arising out of or by reason of the toll or duties by this act laid or granted, but such person or persons shall be incapable from the time of accepting and continuing to enjoy such place of profit of acting as a trustee or trustees.

Actions laid in *Kildare* or *Queen's county*,

XXVIII. And be it further enacted by the authority aforesaid, that if any suit shall be commenced against any person or persons for any thing done in pursuance of this act, that in every such case the action shall be laid in the county of Kildare or Queen's county, and not elsewhere; and the defendant or defendants in such action may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by authority of this act; and if it shall appear so to be done, or such action or actions shall be brought in any other county, that the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared, or if on any demurrer judgment shall be given against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have in any other cases in law.

general issue pleaded,

treble costs.

A publick act.

XXIX. And be it further enacted by the authority aforesaid, that this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially pleading the same.

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Tolls &c. by 9 G. 2. c. 23. to ceaſe.

XXX. Provided always, and be it enacted, that from and after the firſt day of April one thouſand ſeven hundred and ſeventy ſix the ſeveral tolls and duties granted in and by the ſaid recited act made in the ninth year of his ſaid late Majeſty, and all the proviſions therein, which are not hereby re-enacted, ſhall ceaſe and be utterly void.

Continuance 41 years from 1ſt April 1776.

XXXI. Provided alſo, and be it further enacted, that the ſeveral tolls and duties hereby granted, and all other the proviſions and regulations herein contained, ſhall take place and have continuance from and after the ſaid firſt day of April one thouſand ſeven hundred and ſeventy ſix for and during the term and ſpace of forty one years, and no longer.

To ceaſe on adjudication of truſtees, and repayment.

XXXII. And be it further enacted by the authority aforeſaid, that if at any time before the expiration of the ſaid term and ſpace of forty one years all parts of the ſaid road ſhall have been ſufficiently amended and repaired, and ſhall be ſo adjudged by the majority of the truſtees appointed or hereafter to be choſen by virtue of this act, and if repayment ſhall have been made of ſuch money, as ſhall have been advanced or borrowed on credit of the ſaid tolls or duties, with all intereſt for the ſame, and if all the coſts and charges attending the ſame ſhall have been paid and ſatisfied, in ſuch caſe the ſaid tolls and duties ſhall ceaſe and be utterly void, any thing herein before contained to the contrary notwithſtanding.

CHAP. XIV.

An act for repealing an act made in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act to explain and amend an act made in the third year of the reign of his late Majeſty King George the ſecond, entitled, An act for the better keeping churches in repair, and for other purpoſes.*

13 & 14 G. 3. c. 10. repealed, extending to pariſhes where no default in veſtry.

WHEREAS the pariſhioners of ſeveral pariſhes in this kingdom have neglected or refuſed to make proviſion at their reſpective veſtries for the repairs of the churches or chapels within their reſpective pariſhes, and to defray the neceſſary charges for the performance of divine ſervice therein, to the diſgrace and diſcouragement of the eſtabliſhed religion: and whereas an act made in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act to explain and amend an act made in the third year of the reign of his late Majeſty*

King George the second, entitled, *An act for the better keeping churches in repair*, was intended to remedy the said abuses; but the provisions made by the said act extend as well to those parishes, in which there had been no such default, as to those in which there had: and whereas it is not reasonable, that the innocent should be confounded with the guilty: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the said recited act of the last session, and every thing therein contained, be from henceforth repealed.

A special return to both houses by 1st of next session of the state of churches and chapels,

II. And to the end that parliament may be informed of the state and condition of the several churches and chapels in this kingdom, and of the conduct of the parishioners thereof with respect to the particulars herein before mentioned, in order that an adequate remedy may be provided for the reformation of such abuses, be it enacted by the authority aforesaid, that the deans, archdeacons, prebendaries, and all rectors, vicars, and perpetual curates within this kingdom, shall upon the best information make a special return to the clerks of both houses of parliament on or before the first day of the next session of parliament of the true state, age, and condition of their respective parish churches and chapels, and whether they are safe and fit for the resort of the parishioners to have divine service performed therein, and whether the said churches and chapels respectively have been from time to time provided with such useful and decent requisites, as are necessary for the due celebration of the sacrament, and the regular performance of divine service according to the rites and ceremonies of the church of Ireland, and whether any taxes, and to what amount, have been applied for or levied for five years previous to the first day of December one thousand seven hundred and seventy five to answer the purposes aforesaid.

and whether fit for parishioner's resort, and provided with requisites for divine service,

and of taxes 5 years before 1st Dec. 1775.

CHAP.

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CHAP. XV.

An act for the improvement of his Majesty's revenue, and the more effectual preventing of frauds therein; and for continuing and amending several laws heretofore made, and now in force, relative to his Majesty's said revenue.

Brewer, retailer, or distiller refusing officer to enter, guage, take account, & see the whole finished, 30l.

WHEREAS the several laws heretofore made for the improvement of your Majesty's revenue, and the prevention of frauds therein, have on account of many clandestine practices to elude the same proved ineffectual to answer the several purposes thereby intended: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that if any common or retailing brewer, or retailer of beer or ale, maker or distiller of aquavitæ or strong waters, his or her servant or servants, shall from and after the twenty fourth day of June one thousand seven hundred and seventy six refuse or deny any gauger or gaugers, searcher or searchers, to enter into his or her house, brew-house, stilling-house, outhouse, store-house, or other place whatsoever, where the brewing or distilling business or any part thereof is carried on, of or belonging to such common or retailing brewer, or retailer of beer and ale, maker or distiller of spirits or strong waters; or if such gauger or gaugers, searcher or searchers, having entered, shall not be permitted to remain therein to gauge the coppers, fats, keeves, and other vessels of such common and retailing brewer, or retailer of beer and ale, or distiller, and to take an account of the quantities of liquors brewed, or in any process of brewing, and the quantities of wash, low wines, singlings, and spirits, or of any other liquors or ingredients whatsoever used or ready to be used in such house brew-house, stilling-house, outhouse, store-house, or other place as before mentioned, and to see the whole brewing or distilling compleatly finished, and the liquors tunned or stored, such common or retailing brewer, or retailer of beer and ale, and distiller, shall for every such offence forfeit the sum of thirty pounds.

Brewing pans lent or hired out forfeited and 5l.

II. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of June one thousand seven hundred and seventy six no person shall let out for hire or lend any pan for brewing to any person or persons whatsoever;

ever; and that every person offending herein shall forfeit every such brewing pan, and also a sum of five pounds. A. D. 1775-6.

III. And whereas by an act passed in the fifth and sixth years of your Majesty's reign, entitled, *An act for continuing and amending several laws relating to his Majesty's revenue, and for the more effectual preventing of frauds therein, and for other purposes therein mentioned*, it was among other things enacted, that from and after the twenty fourth day of June one thousand seven hundred and sixty six no person or persons whatsoever shall suffer his, her, or their goods, wares, or merchandizes in the said recited act particularly and respectively mentioned, to remain or lie on the custom house quay of the port of Dublin for any longer space of time, than in the said recited act for that purpose therein particularly mentioned, expressed, and declared, under the penalties in the said act for that purpose particularly mentioned: and whereas it hath been found, that the good effects intended by the said law have not been promoted: be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy six all goods, wares, and merchandize, which shall be landed out of any ship or other vessel on the said quay, shall be taken away from off the said quay by the respective owner or owners, proprietor or proprietors, or other person or persons to whom the same shall be consigned, at the respective times herein after mentioned, that is to say, that each and every cask of spirits, wines, and other liquors or liquids, shall be taken and carried away from off the said quay within the space of three days commonly called working days, that is to say, three days not being Sundays or holidays, after the same shall have been so landed; and that each and every cask, or other package of weighable or dry goods, shall be taken and carried away from off the said quay within the space of six working days, after the same shall have been so landed; and if any person or persons shall contrary to the directions herein contained permit or suffer his, her, or their spirits, wines, liquors, or other liquids, to lye or remain on the said quay for any longer space of time than three working days, after the same shall be so landed on the said quay, that then and in that case every cask of spirits, wines, liquors, or liquids shall be subject and liable to and charged and chargeable with the penalty of two shillings for every such cask of spirits, wines, liquors, or other liquids, for every day the same shall remain on the said quay over and above the said three working days, one half whereof shall be paid and payable to his Majesty, his heirs and successors, and the other

Chap. 15.

5 G. 3. c. 16.

goods landed on custom-house quay taken away; liquors in 3 working days, weighable or dry goods in 6,

penalty 2s. every cask or package for every day after,

to king and informer.

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half to such person or persons who shall give information of such goods continuing or lying on the said quay from and after the said time; and in case any person or persons shall permit or suffer any of his, her, or their casks or packages of weighable or dry goods or merchandizes to lye or remain on the said quay for any longer space of time than six working days, after the same shall be so landed on the said quay as aforesaid, that then and in that case every cask or package of weighable or dry goods shall be subject and liable and charged and chargeable with a penalty of two shillings for every such cask or package of weighable or dry goods, for every day such cask or package shall so remain on the said quay, over and above the said six working days; one half whereof shall be paid and payable to his Majesty, his heirs and successors, and the other half to such person who shall give information of such goods continuing or lying on the said quay from and after the same time.

Surveyors may seize such goods, and lodge in stores sufficient for security,

IV. And be it enacted by the authority aforesaid, that the surveyor or surveyors of the said quay be and are hereby empowered and required to seize such goods, wares, and merchandize continuing on the said quay after the expiration of the said working days hereby allowed, and lodge the same, or a sufficient part thereof, in his Majesty's stores as security for the amount of such penalties aforesaid; and in case the owner or owners of such goods, wares, and merchandize do or shall neglect to pay such penalties within the space of three months, next after the same shall be so seized, it shall and may be lawful for such surveyor or surveyors to set up and sell the same by publick auction, and to apply the money arising thereby to the payment of such penalties, and the costs and charges attending the same, rendering back any overplus thereon to such owner or owners of such goods or merchandize.

sold by auction for payment if not in 3 months.

No auction on said quay unless by commissioners for duties,

V. And whereas the suffering goods to be sold by auction on the custom house quay contributes to the inconveniencies before mentioned: for remedy whereof be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy six no goods or merchandize of what kind or nature soever shall be sold by auction or cant on the said quay, unless the same shall be sold by order of the commissioners for payment of his Majesty's duties; and in case any person or persons shall from the time aforesaid sell or attempt to sell any goods, liquors, wares, or merchandize by auction on the said custom house quay, that such person or persons, so selling or attempting to sell the

penalty 20l. to king and informer.

same by auction, shall forfeit and pay the sum of twenty pounds sterling, for every time such person or persons shall sell or attempt to sell such goods by auction on the said quay; one half thereof to be applied to his Majesty, his heirs and successors, and the other half to the person or persons who shall give information thereof.

Or damaged goods on surveyors report, if sold in 6 days after landing.

VI. Provided always, that it shall and may be lawful for any person or persons to sell or dispose by publick cant any damaged goods, wares, or merchandize, which shall be landed on the said quay; provided the surveyor or surveyors of the custom-house quay shall report by writing under his or their hands to his Majesty's commissioners, that such goods, intended to be sold by auction, are really damaged; and provided that such damaged goods shall be so sold by auction within six days, after the same shall be landed, otherwise that such damaged goods shall be subject and liable to the several penalties and seizures hereinbefore mentioned.

Spirits (except cordials in casks under 50 gallons) teas in in any package (except from *Great Britain*) tobacco in package under 500 lb. on board in port or 3 leagues of shore, or having so been, though bulk not broke, or attempt to run (unless necessity, of which immediate notice and proof) the vessel, tackle, &c. forfeited beside other penalties.

VII. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of June one thousand seven hundred and seventy-six if any brandy, rum, or other spirits, except cordial waters in casks under fifty gallons gauge, or any teas in any package whatsoever (excepting such teas as shall be directly brought from Great Britain, and proved to have been exported from thence) or any tobacco in any package containing less than five hundred pounds weight, shall be found on board any ship, vessel, or boat in any port or harbour in this kingdom, or hovering within three leagues of the shore of this kingdom, or shall be discovered so to have been, although bulk shall not appear to have been broken, or any of the said goods or commodities before mentioned run or attempted to have been run out of such ship, vessel, or boat (save only and except in case of unavoidable necessity and distress) of which necessity and distress the master, purser, or person having or taking the charge or command of such ship, vessel, or boat, shall immediately after the arrival of such ship, vessel, or boat, into any bay, harbour, river, or creek of or belonging to this kingdom, give notice and proof before the collector, or other chief officer of the revenue resident at the nearest port where such ship, vessel, or boat shall arrive, such ship, vessel, or boat, with all her guns, tackle, furniture, ammunition, and apparel shall be forfeited, over and above any other penalty or forfeiture for the said offence by any law now in force in this kingdom.

VIII. And

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11 & 12 G. 3. c. 7. ſ. 13. ineffectual,

VIII. And whereas by an act made in the eleventh and twelfth years of his Majeſty's reign, entitled, *An act for the further improvement of his Majeſty's revenue, and the more effectual preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force relative to his Majeſty's ſaid revenue*, it is amongſt other things enacted, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy two if any perſon or perſons on board any ſhip, boat, or veſſel, being within the limits of any port or harbour of this kingdom, or being within three leagues of any of the ſhores of this kingdom, ſhall with arms forcibly reſiſt or prevent any officer of his Majeſty's revenue from boarding or entering into ſuch ſhip, boat, or veſſel, to ſee, ſurvey, and make ſearch for exciſeable goods and commodities, that might be found therein, or elſe permitting them ſo to do ſhall after ſuch entry make reſiſtance, and by force of arms ſhall prevent or hinder ſuch officer or officers from ſeizing and carrying away ſuch exciſeable goods or commodities, which by any law now in being they have power to ſeize, then and in either of the ſaid caſes ſuch ſhip, boat, or veſſel, with all her guns, tackle, furniture, ammunition, and apparel, and all prohibited goods and commodities found therein, ſhall be forfeited, and ſhall and may be ſeized and proſecuted, as therein after is directed: and whereas the ſaid clauſe in the ſaid ſtatute hath proved ineffectual to anſwer the ſeveral purpoſes thereby intended, and the officers of his Majeſty's revenue having boarded or entered into ſuch ſhip, boat, or veſſel, have not been permitted or have been prevented to ſee, ſurvey, and make ſearch for exciſeable goods and commodities therein, or reſiſtance hath been made to them, but without force of arms, to prevent or hinder ſuch officer or officers from ſeizing or carrying away any ſuch exciſeable goods or commodities, which by any law in being they had a power to ſeize: for remedy whereof be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June in the year of our lord one thouſand ſeven hundred and ſeventy ſix if any perſon or perſons on board any ſhip, boat, or veſſel, being within the limits in the ſaid recited act mentioned, ſhall reſiſt or prevent any officer of his Majeſty's revenue from boarding or entering into ſuch ſhip, boat, or veſſel, or from ſeeing, ſurveying, or making ſearch for exciſeable goods and commodities, or elſe permitting them ſo to do ſhall prevent or hinder ſuch officer or officers from ſeizing and carrying away ſuch exciſeable goods or commodities, * or ſhall or may be found therein, and which by any law now in being they have power to ſeize,

reſiſting officers entrance, ſearch, or ſeizure, on board ſhip within the limits in ſaid act, the veſſel, &c. forfeited.

ſeize, though ſuch reſiſtance, hindrance, or prevention ſhall not be with arms or by force of arms, then and in ſuch caſes ſuch ſhip, boat, or veſſel, with all her guns, tackle, furniture, ammunition, and apparel, and all goods and commodities found therein, ſhall be forfeited, and ſhall and may be ſeized and proſecuted as herein after directed.

To prevent ſending out under cover of permit ſmuggled goods keeping the goods fairly entered; all goods in permit conſidered goods for which credit as legally imported, ſurplus found, and no permit or certificate, deemed run.

IX. And whereas perſons importing exciſeable goods, or purchaſing ſuch goods from merchants importers, obtain permits for the quantities ſo imported or purchaſed, and under cover of ſuch permits do ſend out ſmuggled goods of the ſame quality and quantity, keeping in their profeſſion* the goods which were fairly entered: and whereas upon information of ſuch fraudulent practices the offenders have evaded all forfeiture by producing teſtimony, that the goods ſeized in their poſſeſſion were the ſame identical goods, which had been fairly imported: for remedy whereof be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix all goods mentioned in ſuch permits, as ſhall or may be granted to any perſon or perſons for the carriage of any exciſeable goods, ſhall be conſidered and taken into the account of goods, for which ſuch perſon is entitled to have credit as goods legally imported, and that any ſurplus or exceeding, which ſhall be found in the cuſtody or poſſeſſion of any perſon or perſons, and for which ſuch perſon or perſons cannot produce a permit or certificate of entry, ſhall be deemed and taken to have been run, and ſhall be forfeited, as fully and effectually to all intents and purpoſes as if ſuch goods had been actually run.

1 *G.* 3. c. 7. ſ. 19. the benefit, thereby intended for fair traders only, obtained by ſmugglers,

X. And whereas by an act made in the firſt and ſecond years of his Majeſty's reign, intituled, *An act for continuing and amending an act*, entitled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing frauds therein, and for repealing an act made the laſt ſeſſion of parliament*, intituled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act and continued thereby*, it is among other things enacted, that from and after the firſt day of May one thouſand ſeven hundred and ſixty two it ſhall and may be lawful to and for the owner or owners of any goods and merchandizes ſeized for being run, or intended to be run, and to and for the maſter or commander of any ſhip or veſſel ſeized for the breach of any of the laws of exciſe, to apply, as

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by law may now be done in cases to be heard and determined in the court of exchequer for writs of appraisement and delivery: and whereas the benefit, intended by the said last recited act for fair traders only, hath been in many instances obtained by smugglers applying for and obtaining writs of appraisement and delivery for ships and other vessels, actually employed in illicit and contraband trade, to the great detriment of his Majesty's revenue, and to the prejudice of the fair trader: for remedy whereof be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy six no writ of appraisement or delivery shall issue for any ship or other vessel whatsoever, unless the person so applying for such writ of appraisement or delivery shall produce a consent in writing under the hands of three or more of the chief commissioners of his Majesty's revenue of excise for the granting of such writ of appraisement or delivery.

no writ of appraisement or delivery shall issue without consent in writing by 3 commissioners.

XI. And for the more effectual collecting and receiving the several and respective duties on coaches, chariots, berlins, calashes, and chaises with four wheels, and chaises with two wheels, be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy six all and every person and persons, in whose possession any of the aforesaid carriages, liable to the aforesaid duties, shall or may be found at any time or times within the respective times mentioned in and by an act made in the present session of parliament, entitled, *An act for granting unto his Majesty an additional duty on the several commodities, goods, and merchandizes therein mentioned, and for prohibiting the importation of all gold and silver lace, and of all cambricks and lawns, except of the manufacture of Great Britain*, and also in and by one other act made in the same session of parliament, entitled, *An act for granting unto his Majesty the several duties, rates, impositions, and taxes therein particularly expressed, to be applied to pay an interest at the rate of four pounds* per centum per annum *for such part of the several principal sums formerly borrowed, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy five, and for such other purposes as are therein mentioned*, in any district in this kingdom wherein such person or persons shall be then resident, and wherein such carriage or carriages hath or have not been registered, shall be subject and liable to the payment of and shall pay the several and respective duties, to which such carriage or carriages are by the said recited acts made subject or liable, and shall incur all such penalty or penalties, as such person

Wheel carriages not registered in district where possessor resident, tho' registered in another and duty paid, liable to duties by c. 8 and 1. of this session, and to penalties as not at all register'd, unless collector's receipt produced and copy given.

ſon or perſons is or are liable to, in caſe ſuch carriage or carriages had not been at all regiſtered, notwithſtanding ſuch carriage or carriages hath or have been regiſtered in any other diſtrict, or that ſuch perſon or perſons ſhall have paid the ſaid duties in any other place or places whatſoever, where ſuch carriage or carriages liable to the ſaid duties hath or have been regiſtered, unleſs ſuch perſon or perſons ſhall produce the receipt or receipts of the collector of the diſtrict, where ſuch carriage or carriages hath or have been regiſtered, and ſhall permit the officer or officers, appointed to collect and receive the ſaid duties, to take a copy of ſuch receipt or receipts.

Sums received for ſuch duties charged in accounts.

XII. And alſo be it enacted by the authority aforeſaid, that ſuch officer or officers ſhall charge himſelf or themſelves in his or their ledger or ledgers, or other accounts, with ſuch ſum or ſums of money, as he or they ſhall have received or may receive as and for the duty or duties of ſuch carriage or carriages.

Cabriolets and garden chairs, the wheels above 4 feet diameter, liable to ſaid duties.

XIII. And in order the more effectually to prevent frauds in the duties ariſing, or which may ariſe, upon the aforeſaid carriages be it enacted by the authority aforeſaid, that all cabriolets or garden chairs, which by the ſaid recited acts, or either of them, are exempted from the payment of the duties thereby granted on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, in caſe the wheels of ſuch cabriolets or garden chairs ſhall exceed four feet in diameter, then and in ſuch caſe ſuch cabriolet or garden chair ſhall be deemed, conſtrued, and taken as a carriage ſubject and liable to the ſeveral and reſpective duties in the ſaid recited acts particularly mentioned, and ſhall accordingly pay the ſame.

Cards ſold, expoſed, or played with, not ſtamped, as by ſaid acts, 5l. *per* pack.

XIV. And for the better ſecuring the ſeveral duties impoſed on playing cards be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred ſeventy ſix no playing cards ſhall be ſold or expoſed to ſale, or played with, which ſhall not have been ſealed, marked, and ſtamped, as by the ſeveral laws enacted in this kingdom is required; upon pain that every perſon, who ſhall from and after the time aforeſaid ſell or expoſe to ſale, or knowingly play with, any ſuch cards, which ſhall not have been ſealed, marked, or ſtamped, as by the ſaid ſeveral laws is required, ſhall forfeit for every pack of ſuch cards ſo ſold or expoſed to ſale, or played with, the ſum of five pounds ſterling.

Conſtable not attending officer in the diſtrict,

XV. And whereas conſtables have frequently refuſed or neglected to attend the officers of the revenue in the execution of their duty

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duty in cases, where by law the presence or attendance of a constable is made necessary: be it enacted by the authority aforesaid, that from and after the twenty fourth day of June in the year one thousand seven hundred and seventy six any constable, who shall refuse or neglect to attend any officer of the revenue in the same parish or district, for which such constable is appointed, in any case where by law the presence or attendance of a constable is made necessary in the execution of the duty of such officer, shall for every such refusal or neglect forfeit the sum of forty shillings; and in default of payment thereof shall suffer one month's imprisonment.

where necessary, 40s. or a month imprisonment.

Recital, 7 *G.* 3. c. 27. s. 9.

XVI. And whereas by an act made in the seventh and eighth years of his Majesty's reign, entitled, *An act for the further improvement of his Majesty's revenue, and for continuing and amending several acts therein particularly mentioned*, it was amongst other things enacted, that there should be payable to his Majesty, his heirs and successors, for every licence to be granted for selling *aquavitæ*, or any kind of strong waters or spirits whatsoever, by retail in any city, town corporate, and the liberties of the same, such sum, as should be agreed to be paid for such licence pursuant to the directions of an act of the seventeenth and eighteenth of his late Majesty king Charles the second, in said act recited, so as none do pay less than the sum of four pounds yearly, and none be compelled to pay more than five pounds yearly: and whereas it has been found by experience, that in many instances the sum of four pounds is a greater sum, than several persons applying for licences can afford to pay, which has considerably diminished his Majesty's revenue: therefore be in enacted by the authority aforesaid, that from and after the passing of this act it shall and may be lawful to and for the chief commissioners of excise, or the major part of them, to issue and grant licences for the selling of spirits and strong waters by retail in all towns corporate and the liberties thereof in this kingdom for such sum, as they in their discretion shall think fitting and reasonable under the circumstances of the case; so as no licence be granted for a less sum than three pounds yearly, nor a greater sum required or taken than five pounds yearly; the said recited act, or any other law, to the contrary notwithstanding.

4l. yearly, thereby required for licence to retail spirits pursuant to 17 and 18 *C.* 2. c. 19. s. 2. more than several applying can afford,

prejudicial to revenue,

commissioners may licence to retail spirits and strong waters, not under 3l. yearly, nor above 5l.

To prevent collusive seizures, where duties exceed prime cost,

XVII. And whereas it hath been found, that whenever the duties due and payable to his Majesty on any commodity exceed the prime cost of such commodity, collusive seizures have been concerted between the smuggler and the officer or officers of his Majesty's

Majesty's revenue, who made or pretended to make such seizures for his or their own advantage: for remedy whereof be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy six all brandy, geneva, rum, or other spirits, which shall hereafter be seized and condemned as being illegally imported into this kingdom, shall be sold by inch of candle according to law; and that the produce of such seizure shall be divided in such manner, as that a sum equal to the amount of the duties, which would, in case such brandy, geneva, rum, or other spirits had been fairly imported into this kingdom, have been due and payable to his Majesty for such spirits at the respective time or times of such seizure or seizures, shall be to the use of your Majesty, your heirs and successors; and the remainder thereof, clear of all expences, costs of suit, and charges whatsoever, shall go and be to the use of the person or persons, who shall seize or discover, or give information of and prove the same to have been illegally imported as aforesaid.

all spirits seized and condemned sold by inch of candle,

to the King a sum equal to the duties if fairly imported,

remainder to informer.

XVIII. And whereas no stock hath been taken by the gauger or officers of excise on spirits at the distilleries of the several distillers of the city of Dublin for some years past, on account of different places being made use of by distillers for the purposes of storing their spirits, and great frauds are committed under the pretence of rectifying spirits, alledged by the several distillers to be foul, foetid, or returned to them by the persons, to whom they were sold, as unfit for sale: for remedy whereof be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy six every distiller shall keep his, her, or their spirits together in a store or stores in or adjoining to their respective distilleries in casks not less than one hundred gallons each, with their bungs easy of access for the gaugers to dip and gauge the same, under the penalty of twenty pounds: and in case the officer of excise within his respective walk or district shall find any still or stills at work, and declared by the distiller, or any person employed by him or her, to be at work for the purpose of rectifying spirits, and shall not find a proper decrease equal to the charge of the still from the stock of spirits, or that any distiller or distillers shall refuse to declare, what is then in the still, then and in either of the said cases it shall and may be lawful for such officer of excise to charge the distiller, as if the said still was filled with low wines, and such distiller shall pay the duties due and payable to his Majesty accordingly; and if such distiller shall declare, that he is distilling faints, then it shall be lawful for such

Stock not taken from storing spirits at different places,

frauds under pretence of rectifying,

spirits shall be kept together in stores in or adjoining to distilleries in casks not under 100 gallons, access to gaugers easy,

penalty 20l.

stills at work declared for rectifying, and not a proper decrease, or contents not declared, charged as if filled with low wines, or with potale if declared distilling faints,

19 & 20 G. 3. c. 12. f. 18.

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officer of exciſe to charge the diſtiller, as if the ſaid ſtill was filled with potale, and ſuch diſtiller ſhall pay the duties due and payable to his Majeſty accordingly.

3 G. 3. c. 21. ſ. 8.

XIX. And whereas by an act paſſed in the third and fourth years of his Majeſty's reign, entitled, *An act for continuing and amending two ſeveral acts of parliament therein mentioned, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and for other purpoſes therein mentioned*, it is enacted, that no diſtiller or diſtillers for ſale ſhall ſet in his, her, or their backs, or other veſſels made uſe of for fermenting waſh of molaſſes or ſugar, any leſs quantity of waſh than four hundred gallons at any one time, on pain of forfeiting ten pounds for every ſuch offence, to be recovered in manner therein mentioned: and whereas it was the intention of the ſaid act, that not leſs than four hundred gallons of waſh, made from ſugar or molaſſes, ſhould be ſet in any one back or veſſel: be it enacted by the authority aforeſaid, that no diſtiller or diſtillers from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix ſhall ſet in any back or veſſel, made uſe of for fermenting waſh of molaſſes or ſugar, any leſs quantity than four hundred gallons at any one time, on pain of forfeiting ten pounds ſterling for every ſuch offence.

no diſtiller ſhall ſet in veſſel for fermenting waſh of molaſſes or ſugar leſs than 400 gallons at one time, penalty 10l.

5 G. 3. c. 16. ſ. 5.

XX. And whereas by an act made in the fifth and ſixth years of his Majeſty's reign, entitled, *An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectual preventing of frauds therein, and for other purpoſes therein mentioned*, it is among other things enacted, that every common brewer of beer and ale, and every common diſtiller or maker of low wines, ſpirits, *aquavitæ*, or ſtrong waters for ſale within this kingdom, ſhall on every viſit, made by any officer or officers of exciſe after ſun ſet in the evening, and before ſun riſe in the morning, at the reſpective brew-houſes and ſtill-houſes of ſuch brewer or diſtiller, furniſh and ſupply ſuch officer and officers, on demand made by him or them, with lights ſufficient to enable ſuch officer or officers to ſearch, ſurvey, and examine the ſtock of beer, ale, ſpirits, *aquavitæ*, and ſtrong waters then on hand belonging to ſuch brewers and diſtillers reſpectively, under the penalty of forfeiting the ſum of five pounds for every time ſuch brewer or diſtiller ſhall neglect or refuſe, on demand made as aforeſaid, to ſupply ſuch lights as therein is directed: And whereas diſtillers ſince the paſſing the ſaid recited act have made and continue to make their ſtilling houſes ſo very dark, that no officer of exciſe can even in the day time take an exact and true account of the ſtock on hand, whereby great frauds are committed

committed by distillers for sale: for remedy thereof be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy six every distiller or distillers shall on every such visit as well by day as by night furnish and supply the officer or officers of excise, on demand made by him or them, with lights sufficient to enable such officer or officers at all times, to search, survey, examine, view, and gauge all the stock of wash, potale, singlings, or low wines and spirits, of or belonging to such distiller or distillers, as well by day as by night, under the penalty of forfeiting for every such neglect the sum of five pounds sterling.

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distillers on demand shall supply officers with sufficient lights as well by day as by night,

penalty 5*l.*

XXI. And be it further enacted by the authority aforesaid, that from and after the twenty fifth day of March one thousand seven hundred and seventy six there shall not any duty whatsoever be paid to his Majesty, his heirs or successors, for or on account of any bread or biscuit of the manufacture of this kingdom exported out of the same.

No duty on exporting bread or biscuit.

XXII. And whereas by an act passed in the thirty third year of the reign of king George the second, entitled, *An act for better regulating the collection of his Majesty's revenue, and for preventing of frauds therein, and for repealing an act made the last session of parliament*, intituled, *An act for continuing and amending several laws heretofore made relating to his Majesty's revenue, and for the more effectual preventing of frauds in his Majesty's customs and excise, and the several acts and statutes which are mentioned in the said act and continued thereby*, and by another act passed in the fifth year of his present Majesty's reign, entitled, *An act for continuing and amending several laws relating to his Majesty's revenue, and for the more effectual preventing of frauds therein, and for other purposes therein mentioned*, several drawbacks are given of the several duties imposed upon spirits made or distilled within this kingdom upon the exportation of such spirits, so that no more than one third part of a penny *per* gallon of the inland excise paid upon such spirits shall remain on the same when exported: and whereas by an act passed in the present session of parliament, entitled, *An act for granting unto his Majesty an additional duty on the several commodities, goods, and merchandizes therein mentioned, and for prohibiting the importation of all gold and silver lace, and all cambricks and lawns, except of the manufacture of Great Britain*, a further additional duty of four pence *per* gallon was granted upon spirits made or distilled within this kingdom, but the clause for allowing the drawbacks upon the exportation

33 *G.* 2. c. 10.

5 *G.* 3. c. 16. s. 10.

drawbacks on export of spirits thereby,

by act this session, c. 8. additional 4*d.* *per* gallon on spirits distilled here,

but clause for drawback omitted,

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exportation of ſaid ſpirits hath by miſtake been omitted in the ſaid act: be it enacted by the authority aforeſaid, that from and after the twenty fifth day of March one thouſand ſeven hundred and ſeventy ſix when and as often as bere and barley ſhall not exceed nine pence the ſtone, the rates and prices of ſuch bere and barley to be aſcertained in the ſame manner as is directed by an act made in the twenty ninth year of his late Majeſty's reign, entitled, *An act for the further encouragement of tillage*, it ſhall and may be lawful for any perſon in any ſea port, or upon any navigable river, to export and ſhip off as merchandize (within any of the uſual and allowed ports by law, and that the common quays for exportation, or quays to be appointed for that purpoſe, and within the uſual hours, for account of himſelf or any other) to be exported into foreign parts, in the preſence of ſome ſworn officer of exciſe to be appointed by the commiſſioners or ſub-commiſſioners of exciſe, upon notice thereof to them to be given at the office of exciſe within the limits of the reſpective diſtricts of the reſpective ports or places from whence the ſame ſhall be ſo ſhipped, any ſort of ſpirits or ſtrong waters diſtilled in this kingdom; and ſuch officer ſhall certify the quantity of ſuch ſpirits or ſtrong waters ſo ſhipped off to the commiſſioners or officers of exciſe of the reſpective diſtricts, who are hereby required to make an allowance, or to repay, in the way of drawback all inland exciſe, which ſhall have been paid for ſuch ſpirits or ſtrong waters ſo exported, unto the perſon or perſons ſo exporting the ſame within one month after ſuch exportation.

when bere and barley not above 9d. *per* ſtone, as by 29 *G.* 2. c. 9. drawback of all inland exciſe on ſpirits & ſtrong waters diſtilled here, exported as uſual in officer's preſence and on notice.

13 & 14 *G.* 3. c. 8. ſ. 12.

XXIII. And whereas by an act paſſed in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act for continuing and amending ſeveral laws now in force relating to his Majeſty's revenue, and for the more effectually preventing frauds therein*, it is amongſt other things enacted, that no perſon or perſons whatſoever ſhall have or keep in his, her, or their cuſtody or poſſeſſion, or ſhall make uſe of any ſtill, black pot, alembick, or other veſſel for making or diſtilling of any ſpirits or ſtrong waters, before he or ſhe ſhall be licenced thereunto by one or more of the chief commiſſioners of his Majeſty's revenue of exciſe: and whereas ſome doubts have been conceived concerning the power of the commiſſioners of exciſe to refuſe licences in conſequence of the ſaid act to perſons reſiding within the precincts of market towns or towns corporate: be it enacted by the authority aforeſaid, that licences ſhall be granted by the ſaid commiſſioners without fee or reward

doubts as to commiſſioners power to refuſe licence to uſe ſtills in towns, licences ſhall be granted without fee by commiſſioners to diſtillers actually reſiding in towns where ſtated market before 24 June 1774.

to

to all diſtillers or perſons intending to erect diſtilleries, who actually reſide within any town, where markets are uſually held at ſtated times, and in which ſuch markets were actually eſtabliſhed before the twenty fourth of June one thouſand ſeven hundred and ſeventy four.

Withdrawn on change of abode, or conviction in 5l. penalty.

XXIV. Provided always, that it ſhall and may be lawful for the ſaid commiſſioners to withdraw their licences, if the perſons, to whom they are granted, ſhall change their place of abode; and alſo from all perſons who ſhall be legally convicted before the commiſſioners or ſub-commiſſioners of exciſe of any fraud or offence againſt the laws of exciſe, which ſhall ſubject them to a penalty of five pounds or upwards.

3. G. 3. c. 21. ſ. 10. repealed,

XXV. And whereas by an act made in the third and fourth years of his Majeſty's reign, entitled, *An act for continuing and amending two ſeveral acts of parliament therein mentioned, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and for other purpoſes therein mentioned,* it is amongſt other things enacted, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſixty four all waſh and potale, which ſhould be found in any houſe, out houſe, or other place (not belonging to a common diſtiller of ſpirits, *aquavitæ*, or ſtrong waters, for ſale) and where no ſtill, black pot, or alembick is ſet and fixed for diſtilling of the ſame, ſhall be ſpilled by any officer of his Majeſty's revenue of exciſe, who ſhall find and diſcover the ſame, unleſs the ſum of ten pence for every nine gallons of potale, or the like ſum for every ſix gallons of molaſſes or ſugar waſh (being the duties due and payable to his Majeſty therefrom) be immediately paid, or ſufficient ſecurity given to ſuch officer of exciſe for the payment thereof: and whereas the ſaid clauſe hath been found ineffectual to anſwer the purpoſes thereby intended: therefore be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix the ſaid clauſe in the ſaid recited act ſhall and may be, and the ſame is, hereby repealed, made void, and of none effect, to all intents and purpoſes whatſoever; and that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix all waſh and potale, which ſhall be found in any houſe, out houſe, or other place not belonging to a common diſtiller of ſpirits, *aquavitæ*, or ſtrong waters for ſale, and where no ſtill, black pot or almbick is ſet and fixed for diſtilling of the ſame, may be ſpilled by any officer of his Majeſty's revenue of exciſe, who ſhall find or diſcover the ſame.

waſh and potale in houſe or place not of common diſtiller, and where no ſtill, &c. fixed, may be ſpilled by the officer.

No tobacco ſtalks imported, or forfeited or the value.

XXVI. And whereas the importing of tobacco ſtalks into this kingdom is productive of great frauds to the diminution of his Majeſty's revenue, and the detriment of the fair trader: in order to prevent the ſame be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June in the year of our lord one thouſand ſeven hundred and ſeventy ſix no tobacco ſtalks or ſtems ſtripped from the leaf ſhall be imported into this kingdom under penalty of the forfeiture of the ſame, or the value thereof.

Seized on board, in harbour, or three leagues, or ſo diſcovered, tho' bulk not broke, nor attempt to run,

except ſtript from tobacco legally imported, and full duties paid, and ſent coaſtways by cocket.

XXVII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix all tobacco ſtalks or ſtems in any package whatſoever ſhall be ſeized and forfeited, if found on board any ſhip, veſſel, or boat, in any port or harbour in this kingdom, or hovering within three leagues of this kingdom, or ſhall be diſcovered ſo to have been, although bulk ſhall not appear to have been broke, or any of the ſaid tobacco ſtalks or ſtems run, or attempted to have been run, out of ſuch ſhip, veſſel, or boat, ſave only and except ſuch tobacco ſtalks or ſtems as have been ſtripped from tobacco legally imported into this kingdom, and for which his Majeſty's full duties ſhall have been paid, and have been put on board any ſhip, boat, or veſſel to be ſent coaſtways by cocket from one port to another in this kingdom.

Tobacco and ſtalks, not ſelling for full duties after condemnation, deſtroyed,

reward, in lieu of all other, not above 1d. per l.

XXVIII. And be it enacted by the authority aforeſaid, that from and after the laſt mentioned twenty fourth day of June all tobacco ſtalks and ſtems, which ſhall be ſeized and legally condemned, and which after condemnation will not ſell publickly for the full duties payable to his Majeſty, ſhall be burned, or otherwiſe deſtroyed; and that the commiſſioners of his Majeſty's revenue may, if they ſhall think fit, cauſe the officer, or other perſon making ſuch ſeizure, to be rewarded, in ſuch manner as they ſhall think proper, ſuch reward not to exceed one penny *per* pound weight, in lieu of all other allowances.

Securities, in whole or part, for goods run, or ſo intended, void as between parties, and all having notice.

XXIX. And whereas goods and merchandizes have from time to time been ſmuggled into this kingdom to the great detriment of his Majeſty's revenue and the fair trader: in order to prevent the ſame be it enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix all contracts, notes, bills, bonds, judgments, mortgages, or other ſecurities, given or executed by any perſon or perſons, where the whole or any part of the conſideration of ſuch ſecurity or ſecurities ſhall be for any goods, wares, or merchandizes, which ſhall be run or brought into this

kingdom

kingdom with an intent to run the same to defraud his Majesty, his heirs and successors, of the duties now payable, or which shall at any time hereafter be lawfully imposed upon any such goods, wares, or merchandizes, shall as between the contractor or contractors, drawer and drawee, conuzor and conuzee, mortgagor and mortgagee, obligor and obligee, and all and every person and persons having notice that any such note, bill, bond, mortgage, judgment, or other security, was given and executed for goods so run, or intended to be run, be utterly void to all intents and purposes whatsoever.

XXX. And be it further enacted by the authority aforesaid, that an act made in the thirty third year of the reign of his late Majesty king George the second, entitled, *An act for better regulating the collection of his Majesty's revenue, and for preventing of frauds therein, and for repealing an act made the last sessions of parliament*, entitled, *An act for continuing and amending several laws heretofore made relating to his majesty's revenue, and for the more effectual preventing of frauds in his Majesty's customs and excise, and the several acts and statutes which are mentioned in the said act, and continued thereby*, and also one other act made in the first and second years of his Majesty's reign, entitled, *An act for continuing and amending an act*, entitled, *An act for better regulating the collection of his Majesty's revenue, and for preventing frauds therein; and for repealing an act made the last session of parliament*, entitled, *An act for continuing and amending several laws heretofore made, relating to his Majesty's revenue, and for the more effectual preventing of frauds in his Majesty's customs and excise, and the several acts and statutes which are mentioned in the said act, and continued thereby*, and also one other act made in the third and fourth years of his Majesty's reign, entitled, *An act for continuing and amending two several acts of parliament therein mentioned, and for the more effectual preventing of frauds in his Majesty's customs and excise, and for other purposes therein mentioned*, and also one other act made in the fifth and sixth years of his Majesty's reign, entitled, *An act for continuing and amending several laws relating to his Majesty's revenue, and for the more effectual preventing of frauds therein, and for other purposes therein mentioned*, and also one other act made in the seventh and eighth years of his Majesty's reign, entitled, *An Act for the further improvement of his Majesty's revenue, and for continuing and amending several acts therein particularly mentioned*, and also one other act made in the eleventh and twelfth years of his Majesty's reign, entitled, *An act for the further improvement of his Majesty's revenue, and the more effectual preventing*

33 *G.* 2. c. 10.

1 *G.* 3. c. 7.

3 *G.* 3. c. 21.

5 *G.* 3. c. 15.

7 *G.* 3. c. 27.

11 & 12 *G.* 3. c. 7.

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preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force, relative to his Majeſty's ſaid revenue, and alſo one other act made in the thirteenth and fourteenth years of his Majeſty's reign, entitled, *An act for continuing and amending ſeveral laws now in force, relating to his Majeſty's revenue, and for the more effectually preventing frauds therein*, and all and every the clauſes therein reſpectively contained (except ſuch parts thereof as are altered, repealed, or amended by this preſent act or by any of the ſaid recited acts,) ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix, and from thence to the end of the then next ſeſſion of parliament, and no longer.

13 & 14 *G.* 3. c. 8.

continued (ſave as altered) 2 years, &c. from 24 June 1776, *and by* 17 & 18 *G.* 3. *c.* 8. *ſ.* 37. & 19. & 20, *G.* 3. *c.* 12. *ſ.* 91.

XXXI. And be it further enacted by the authority aforeſaid, that all and every the fines, penalties, and forfeitures, inflicted by this act, or by the ſaid ſeveral acts of parliament herein before laſt particularly mentioned or recited, or by any of them (other than and except ſuch as by this act, or by any of the ſaid recited acts of parliament, herein before laſt mentioned, are otherwiſe provided for) ſhall and may be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and means, and with ſuch powers and authorities, as are preſcribed, directed, and appointed in and by an act of parliament made in the fourteenth and fifteenth years of the reign of king Charles the ſecond, entitled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, as fully and effectually to all intents, conſtructions, and purpoſes, as if the ſame were particularly mentioned and expreſſed and reenacted in the body of this preſent act, with the like remedy of appeal to and for the party or parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid act of excife is provided.

Penalties, ſave otherwiſe provided, levied and applied as by 14 & 15 *C.* 2. c. 8. with like appeal.

XXXII. Provided always, and be it enacted by the authority aforeſaid, that this act, and the ſeveral proviſions hereby made, ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix, and from thence to the end of the then next ſeſſion of parliament, and no longer.

Continued 2 years from 24 June 1776, &c.

CHAP.

A. D. 1775-6.

CHAP. XVI.

An act for better regulating the elections of members to serve in Parliament.

When at a former election above 400, officer to appoint a deputy before poll commenced,

WHEREAS the idleneſs and diſſipation, cauſed by the length of time frequently ſpent in the poll at elections for members to ſerve in parliament, are productive of many evils, and are of dangerous tendency to the freedom of election: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that in all caſes where the election cannot be determined upon view, and a poll ſhall be demanded, the ſheriff or other returning officer or officers on every election, whenever it ſhall appear, that upon the laſt or any former election the number of electors have exceeded four hundred, ſhall before the commencement of the poll appoint one deputy to take the poll under him or them, at the ſame time, and in the ſame court houſe, or, if there ſhall not be convenient room therein, in the neareſt convenient place; and ſhall not during ſuch election adjourn for any longer time than from day to day, except from Saturday to Monday, unleſs with the conſent of all the candidates. And that every ſheriff, and other returning officer and officers, and every deputy, ſhall, before he proceed to take the poll, take and ſubſcribe in open court, if thereunto required by any elector, the oath following, which any elector is hereby impowered to adminiſter.

adjourn only from day to day, unleſs conſent of all candidates,

previous oath by returning officer or deputy, if required by any elector,

I do ſwear, that I will honeſtly and impartially without favour to any candidate take the poll at this election; and that I have not directly or indirectly received, nor will hereafter receive, any money, gift, reward, promiſe, contract, or ſecurity for money, or other reward, for or in reſpect of the conduct I ſhall obſerve during the enſuing poll, or the return I ſhall make at the cloſe thereof; which laſt words, that is to ſay, *or the return I ſhall make at the cloſe thereof*, ſhall be omitted, when the oath is adminiſtered to a deputy, and inſtead thereof there ſhall be inſerted theſe words: *and that I will make a fair and true return of the poll to be by me taken to the returning officer, who has appointed me, whenever and as often as I ſhall be thereunto required by him.*

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Deputy removeable at pleaſure,

ſhall cloſe poll book on notice, and immediately deliver to officer, to tot up the numbers, read aloud, and entered in court,

refuſing poll book, or continuing after revoked or directed to ſtop, penalty 500l. & votes, admitted after, void,

but may be given before the officer.

II. And be it enacted by the authority aforeſaid, that every returning officer or officers, who ſhall have appointed a deputy, may from time to time during the poll, as he ſhall think proper, remove ſuch deputy, and appoint another perſon deputy in his room; and that ſuch deputy ſhall, upon notice given to him by the returning officer each day, cloſe his poll book, and deliver in the ſame immediately to ſaid officer, who ſhall tot up therefrom the number of votes polled on ſaid day for each candidate, and cauſe the tot thereof for each candidate to be read aloud, and entered in his poll book in open court; and if ſuch deputy ſhall refuſe to deliver his poll book, when required by the returning officer, or ſhall continue to take the poll, after he ſhall have been directed by him to ſtop, and before he ſhall be again directed by him to proceed, or after his deputation ſhall be revoked, he ſhall forfeit the ſum of five hundred pounds; (to be recovered by any perſon, who will ſue for the ſame in any of his Majeſty's courts of record, to and for the uſe of ſuch perſon ſuing) and every vote admitted by him after ſuch refuſal, direction to ſtop, or revocation, ſhall be conſidered null and void to all intents; but the perſon, who gave ſuch vote, is not thereby diſabled to give his vote at ſuch election before the ſheriff or other returning officer.

Removal of deputy, new appointment, and notices, proclaimed publickly.

III. Provided always, and be it enacted, that ſuch removal and new appointment of a deputy, and ſuch notices to the ſaid deputy to cloſe the poll and deliver up the book, ſhall be made publickly and proclaimed in the place, where ſuch deputy reſpectively ſhall take the poll, by the ſheriff or under ſheriff, or ſome perſon to be appointed for that purpoſe by the ſheriff.

Poll not cloſed on riot, but adjourned from time to time till diſturbance ceaſed,

then proceeded on,

violently interrupting poll, effacing, deſtroying, or taking books, or any part, or the precept,

IV. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall violently and outrageouſly diſturb the court, or other aſſembly duly holden for the election of a member or members to ſerve in parliament, or interrupt the proceeding of the poll, ſuch diſturbance or riot ſhall not be any excuſe to the returning officer, nor afford him any pretence for cloſing the poll; or making a return, but the court or other ſuch aſſembly as aforeſaid ſhall thereupon be adjourned for ſome convenient time, as the occaſion may require; and, if it ſhould be neceſſary, ſhall be further continued by adjournment from time time, till ſuch diſturbance ſhall have ceaſed, when ſuch returning officer ſhall return, and again proceed on taking the poll; and every perſon, who ſhall be convicted of having violently and outrageouſly diſturbed the court ſo as to interrupt the proceeding of the poll, or of having wilfully effaced, obliterated, torn, altered,

altered, or deſtroyed the whole or any part of the poll book of the returning officer, or his deputy, whereon any thing relative to the ſaid election hath been entered, or of having forceably or fraudulently taken or ſecreted the ſame, or any ſuch part thereof, or the writ or precept for holding ſuch election, he ſhall be adjudged guilty of felony, and be tranſported for ſeven years to ſome one one of his Majeſty's plantations abroad.

felony tranſportation 7 years.

V. And be it enacted by the authority aforeſaid, that no ſheriff or other returning officer or officers ſhall upon any pretence whatſoever return more than the number of perſons, he ſhall by his writ or precept be required to return; and that in caſe of an equality of voices for any two or more candidates upon the cloſe of the poll he ſhall be at liberty to give his caſting voice, whether otherwiſe legally qualified to vote or not at ſuch election; and if any ſheriff or returning officer ſhall return more than the number of perſons, he ſhall by his writ or precept be directed to return, and ſhall be convicted thereof in any of his Majeſty's courts of record, he ſhall forfeit and loſe the ſum of two thouſand pounds, to the perſon who ſhall have proſecuted him to conviction; and he ſhall be adjudged and he is hereby declared to be incapable of ever after voting at any election for members to ſerve in parliament.

No officer to return more than by writ required,

has caſting voice, whether qualified to vote or not,

returning more, 2000l. penalty, and incapable to vote,

VI. And whereas the permitting perſons to vote by virtue of rent charges of a ſmall yearly value is a great inlet to perjury, and tends to deſtroy the freedom of elections; be it enacted by the authority aforeſaid, that every perſon, tendering his vote as a freeholder at any election for a member to ſerve in parliament, ſhall, before he be admitted to poll, declare, if thereunto required, whether his freehold conſiſts in rent charge; and that no perſon ſhall have a right to vote, nor ſhall be admitted by any returning officer to poll at any election of a member to ſerve in parliament by virtue of a freehold, conſiſting of a rent charge of a leſs yearly value than twenty pounds; any law, ſtatute, uſage, or cuſtom to the contrary notwithſtanding.

Voter, if required, ſhall declare whether a rent charge,

no rent charge under 20l. a year admitted.

VII. Provided always, that no fee farm rent ſhall be deemed a rent charge within the meaning of this act.

Fee farm not a rent charge.

VIII. And be it further enacted by the authority aforeſaid, that every perſon, offering to vote at any election for a member to ſerve in parliament as a freeholder, ſhall, before he ſhall be admitted to poll, if required by any other elector, take one of the oaths or affirmations following, that is to ſay, if his freehold ſhall not conſiſt of a rent charge, then he ſhall take the following oath, (or affirmation if he be a quaker:)

Freeholder's oath if required by an elector,

I of in the *county, city, or town of* (as the case shall be) *do swear,* (or if a quaker do solemnly and truly affirm) *that I am a freeholder, and have a freehold consisting of land or lands, or of a tenement or tenements, or hereditaments,* (as the case shall happen) *lying or being at* in the *county, city, or town of* (as the case shall be) *of the clear yearly value of forty shillings at the least above all charges payable out of the same, and that I did not receive the same, nor was the same granted to me, fraudulently in exchange for a freehold in this or any other county, and that I have been for six calendar months previous to the day of the teste of the writ or precept for holding this election in the actual possession of the said freehold, or in the receipt of the rents or profits thereof, and that I have not been polled before at this election:*

So help me God.

oath if a rent charge,

But if his freehold shall consist of a rent charge, then that he shall take the following oath, or affirmation, if he be a quaker.

I of in the *county, city, or town of* (as the case shall be) *do swear, that I am a freeholder, and have a freehold consisting of a rent charge upon land or lands, tenement or tenements, hereditament or hereditements, or all or any of them* (as the case shall be) *lying and being at* in the *county, city, or town of* (as the case shall be) *of the clear yearly value of twenty pounds, above all charges payable out of the same, and that I did not receive the same, nor was the same granted to me, in exchange for a freehold in this or any other county, and that I was in possession of the said rent charge, and had a right to receive, and did receive, to my own use one year's rent at the least, arising therefrom twelve calendar months at the least before the present vacancy happened: and that I have not refunded, nor will I refund, any part thereof, and that I have not been polled before at this election.*

said oaths instead of that required by 21 G. 2. c. 10. s. 3.

And the said oath or oaths, affirmation or affirmations, respectively, as the case shall require, shall be administered and taken in lieu and stead of the oath or affirmation required by a certain act of parliament, made and passed in the twenty first year of the reign of his late Majesty king George the second, intitled, *An act to amend and make more effectual an act,* intitled *An act for better regulating elections of members to serve in parliament, and for the more effectual quieting of corporations, and securing*

the

the right of persons, who have or shall be elected into the offices of aldermen and burgesses within any corporation of this kingdom.

IX. Provided always, that if the freehold, whether it be a rent-charge or other estate, by virtue of which any person shall tender his vote, shall have come to him by marriage, marriage settlement, descent, presentation to a benefice, devise, or by promotion to some office, to which such freehold shall have been annexed, then the words in the first mentioned oath, *And that I have been for six calendar months, previous to the day of the teste of the writ or precept for holding this election, in the actual possession of the said freehold, or in the receipt of the rent and profits thereof,* or the words in the last mentioned oath, *And that I was in possession of the said rent charge, and had a right to receive and did receive to my own use one year's rent at the least arising therefrom twelve calendar months at the least, before the present vacancy happened,* shall be omitted, if the person tendering his vote shall desire it, and instead thereof shall be inserted, in which ever of the said oaths such person shall take, the words following, *And that the said freehold came to me by marriage, marriage settlement, descent, devise, presentation to a benefice, or by promotion to some office, to which such freehold is affixed* (as the case shall be) *before the present vacancy happened.* And if any elector shall require the same, the following words shall be added to such oaths respectively, that is to say, *And that I am not a papist, nor married to a papist, and I do not educate, or suffer to be educated, any of my children under the age of fourteen years in the popish religion; and that I am of the age of twenty one years, as I verily believe.*

Oath where the freehold by marriage settlement, descent, devise, presentation, or promotion.

X. Provided always, that where a convert from the popish to the protestant religion shall tender his vote upon any election for a member or members to serve in parliament, the words, *married to a papist,* shall be omitted, and the following words shall be inserted in their stead, if required by such convert, *have I since my conformity to the protestant religion married any papist now living.*

Convert's oath.

XI. Provided always, that every sheriff, or other returning officer or officers, or his or their deputy, shall have full power and authority to administer the respective oaths or affirmations in this act mentioned, but not to any person whose freehold is by the acts now in force required to be registered, until it shall appear to him or them, that such freehold had been duly registered in manner thereby prescribed.

Oaths administered by returning officer, or deputy, not till registry appears, where requisite.

XII. And be it further enacted by the authority aforesaid, that no person whatsoever shall be admitted to vote as an inhabitant on any election for any member or members to serve in parliament

Oath of inhabitant in borough instead of that by 3. *G.* 3. c. 13. s. 5.

A. D. 1775-6. Chap. 16.

ment for any borough in this kingdom, where the right of voting is vested in the protestant inhabitants in general, or in the freeholders or inhabitants, until such person so tendering his vote, in case of any objection made thereto by any elector, shall take the following oath, or if a quaker affirmation, instead of the oath directed by an act made in the third year of his present majesty, entitled, *An act for the more effectual preventing bribery and corruption in the elections of members to serve in parliament, and the magistrates of cities, boroughs, and towns corporate*, that is to say,

I do swear, or (if a quaker) do affirm, that I am an inhabitant of (here naming the place where such election is) *and that my house is situated in and my next neighbours are and I have been an inhabitant of the said borough for these six months last past, and that I am not nor have I been within these six months last past an inmate or lodger with any other person in said borough, but have paid the usual and customary taxes and cesses in said borough as an householder, which have been legally demanded of me; and that I did not divide my house in order to multiply votes at this election; and that I did not come to reside in said borough, since the present vacancy happened, nor in order to give my vote at this election.*

So help me God.

And if any candidate, or any person having a right to vote, shall require it, these words shall be added to the said oath: *And that I am of the age of twenty one years, as I verily believe*; and, if the same shall be in like manner required, the following words shall also be added, *and that I am not a papist, nor married to a papist, and do not educate, or suffer to be educated, any of my children under the age of fourteen years in the popish religion*; provided, that if a convert from the popish religion shall tender his vote, instead of these words (*nor married to a papist*) then shall be inserted in the said oath the following words, that is to say, *Nor have I since my conformity to the protestant religion married any papist now living*.

of converts,

Which oath or affirmation the seneschal, or returning officer of such borough, or his or their deputy or deputies appointed as aforesaid, is hereby impowered and directed to administer to such voter at the request of any elector; and on such voter so taking the said oath, or if a quaker the said affirmation, then

administered by returning officer or deputy,

not to vote till oath taken,

and

and not before such seneschal or returning officer shall admit such vote; and the said oath or affirmation, if a quaker, shall be absolutely final and conclusive evidence to the said seneschal or returning officer of such borough, or his deputy, that the person so taking said oath, or making said affirmation, is qualified to vote at such election; and no such voter shall be liable to any further scrutiny or examination whatsoever before such seneschal or returning officer, or his deputy, on any such election.

Oath conclusive to officers, voter not liable to further scrutiny.

XIII. And be it further enacted by the authority aforesaid, that if any sheriff, or other returning officer, his or their deputy or deputies, elector or person taking the oath, or oaths, or affirmation herein before mentioned, or any of them, shall be guilty of wilful and corrupt perjury, or false affirming, he shall and may be prosecuted for the same by indictment or otherwise, as perjury in any court of record may now be prosecuted, and, being thereof convicted, he shall incur and suffer the pains and penalties, which by law are or may be inflicted in cases of wilful and corrupt perjury.

False oath punished as wilful perjury.

XIV. And be it enacted by the authority aforesaid, that no person hereafter to be elected to serve in parliament for any county, city, town, or borough within this kingdom, after the teste of the writ of summons to parliament, upon the calling or summoning of any parliament hereafter, shall by himself, his friends, or agents, or any employed on his behalf, and at his cost and charge, before his election to serve in parliament for any county, city, town, or borough within this kingdom, directly or indirectly give, present, or allow to any person or persons, having voice or vote in such election, any money, meat, drink, entertainment, or provision, or make any present, gift, reward, or entertainment, or shall at any time hereafter make any promise, agreement, obligation, or engagement, to give or allow any money, meat, drink, provision, present, entertainment, or reward, to or for any such person or persons in particular, or to any such county, city, town, or borough in general, or to or for the use, advantage, benefit, employment, profit, or preferment of any such person or persons, place or places, in order to be elected or for being elected to serve in parliament for such county, city, town, or borough.

After teste of summons no gift, entertainment, or promise or engagement to allow any, by person to be elected, or agents.

XV. And be it further enacted and declared by the authority aforesaid, that every person and persons so giving, presenting, or allowing, making, promising, or engaging, doing, acting, or proceeding, shall be and are hereby declared and enacted disabled, and

Persons, so giving, &c. disabled.

A. D. 1775-6.

and incapacitated upon such election to serve in parliament for such county, city, town, borough, or place; and that such person or persons shall be deemed and taken, and are hereby declared and enacted to be deemed and taken, not to be members in parliament, nor shall act, sit, or have any vote or place in parliament, but shall be and are hereby declared and enacted to be, to all intents, constructions, and purposes, as if they had been never returned or elected members for the parliament.

CHAP. XVII.

An act to explain and amend the several statutes now in force in this kingdom relative to the exchange of glebe lands, and the endowment of churches with new glebes; and to remove some doubts relative to said statutes, and for other purposes.

WHEREAS a doubt hath arisen, whether under the several acts of parliament now in force in this kingdom relative to the exchange of glebe lands, and for other purposes, a tenant for life of lands in possession is empowered and authorized by virtue of the said acts to exchange such lands, or any part thereof, in like manner and for such purposes as tenants in tail in possession are enabled and authorized to do by virtue of said acts or any of them: now, in order to remove said doubt and for the better and more speedy execution of the good purposes intended by said acts, be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that it shall and may be lawful to and for every person or persons, being seized of an estate for life in possession in any lands, by his or their deed or deeds under his or their hands and seals to exchange such lands, or any part thereof, as a glebe for the incumbent or minister of any parish having actual cure of souls, or for a demesne for a master of any free school, in such manner and in such effect as persons, seized of an estate tail in possession of any lands, are enabled to grant such lands, as a glebe for the incumbent of any parish having actual cure of souls, by an act that passed in the first year of his late Majesty king George the second, entitled, *An act for rendering more effectual an act*, entitled, *An act for the better enabling of the clergy having cure of souls to reside on their respective benefices, and for the encouragement of protestant schools within this kingdom*

Tenant L. in possession may by deed exchange lands for glebe for parish minister or demesne of master of free school, as tenant T. may by 1 *G.* 2. c. 15. under restrictions by 2 *Anne*, c. 10. or other act in force.

kingdom of Ireland; and under such restrictions as he or they might have done by virtue of an act, entitled, *An act for the exchange of glebes belonging to churches in this kingdom*, which passed in the second year of her late Majesty queen Anne, or any other act now in force in this kingdom.

II. And whereas there is some room to doubt from the several laws and statutes now in force in this kingdom relative to the endowment of churches, chapels, perpetual curacies, and free schools with new glebes or demesne lands, whether such endowments, or any of them, as aforesaid can be made under the powers and by virtue of the several statutes now in force in this kingdom for that purpose, in any case where such church, chapel, or perpetual curacy, or free schools, so to be endowed with such new glebe or demesne, shall at the time of said intended endowment be possessed of ten acres of glebe lands in perpetuity to such church, chapel, or perpetual curacy, or free school belonging: now, in order to remove said doubt, and for the better encouragement of the clergy to build glebe houses, and to reside within their respective parishes, be it enacted by the authority aforesaid, that it shall and may be lawful for any ecclesiastical or lay corporation, or body corporate or politick, and for every person or persons seized of an estate in fee, or for life, or in tail, of any lands in possession, without the consent of the next heir, or next in remainder, under the several rules, limitations, and restrictions of the said several statutes in force in this kingdom for that purpose, and in pursuance of the same, to endow with new glebe and demesne any church, chapel, perpetual curacy, or free school, though such church, chapel, perpetual curacy, or free school, should at the time of said endowment be in possession of more than ten and under twenty acres of glebe lands or demesne to such church, chapel, perpetual curacy, or free school, of right belonging; provided that such quantity of land so granted, together with all other glebe to such church, chapel, perpetual curacy, or free school before belonging, shall not exceed forty acres, plantation measure.

To encourage clergy to build glebe houses and reside,

endowment of church, chapel, perpetual curacy, or free school, with new glebe and demesne may be made pursuant to statutes in force, tho' possessed of above 10, and under 20, acres, so as not above 40 in all.

III. Provided that nothing in this act contained shall extend or be construed to extend to alter or take away from the force of the several laws and statutes now in force in this kingdom relative to the exchange of glebe lands, or the endowments of churches with new glebes; but the same and every part thereof shall remain and be in full force, as if this act had never been made, save where they or any of them are altered or amended by this act.

Statutes as to exchange of, or endowment with new, glebe in force save as hereby altered.

A. D. 1775-6.

Cathedral in *Armagh* deemed the mother church for all legal purposes,

IV. And whereas the mother church of the parish of Armagh hath been in ruins for a time past the memory of man, insomuch that the scite of said church cannot at this day be sufficiently ascertained: and whereas the cathedral church of saint Patrick's, situate in the city of Armagh, hath been hitherto made use of from its convenient situation to all parts of said parish to serve for all the legal purposes of a parish church within said parish: be it enacted by the authority aforesaid, that all acts, had and done heretofore in said cathedral church as the mother church of said parish, shall be and are hereby declared to be as good and valid in law to all intents and purposes, as if the said cathedral church had been the mother church of said parish and that for the future the said cathedral church of saint Patrick's, Armagh be deemed and taken to be the mother church of said parish of Armagh for all legal purposes whatsoever within the said parish without prejudice to the rights, privileges or immunities, of said cathedral; and also saving to his grace the lord archbishop of Armagh, his successors, and the dean and chapter of said cathedral, and their successors, their several and respective and distinct rights, privileges, and immunities in said cathedral; any thing in this act contained to the contrary in any wise notwithstanding.

saving all cathedral rights, all acts heretofore therein valid.

CHAP. XVIII.

An act for licensing hawkers and pedlars, and for the encouragement of English protestant schools.

Hawkers and pedlars to pay 20s. a year from 25 March 1776, to 25 March 1778,

WHEREAS the continuing the encouragement formerly given to English protestant schools will be of great benefit to this kingdom; and it is reasonable, that some publick fund should be applied and set apart for that purpose: be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fifth day of March one thousand seven hundred and seventy six until the twenty fifth day of March one thousand seven hundred and seventy-eight there shall be answered and paid unto his Majesty, his heirs and successors, by every hawker, pedlar, petty chapman, or other trading person or persons going from town to town, or to other mens houses, fairs, marts, or markets, and travelling either on foot or with horse, horses, or otherwise, in this kingdom (except as herein after mentioned) and carrying to sell, or exposing to sale, any goods, wares, or merchandizes (except as herein after mentioned) a duty of twenty shillings by the year; and that every person so travelling with any horse or horses, ass or asses, mule or mules, or any other beast or beasts bearing or drawing burthen, shall pay the sum of twenty shillings by the year from the twenty fifth day of March one thousand seven hundred and seventy six to the twenty-fifth day of March one thousand seven hundred and seventy-eight for each horse, ass, or mule, or other beast bearing or drawing burthen, he or she shall so travel with, over and above

and 20s. every beast bearing burthen;

the said first mentioned duty of twenty shillings by the year; which said rates and duties shall be collected by such person and persons, and in such manner, and by such ways and means, as the duty payable for licences to keep alehouses is raised and collected by virtue of an act made in this kingdom in the thirty third year of the reign of his late Majesty King George the second, entitled, *An act for better regulating the collection of his Majesty's revenue, and for preventing of frauds therein; and for repealing an act made the last sessions of parliament*, intituled, *An act for continuing and amending several laws heretofore made relating to his Majesty's revenue, and for the more effectual preventing of frauds in his Majesty's customs and excise, and the several acts and statutes which are mentioned in the said act, and continued thereby*, as fully to all intents and purposes as if the provisions in the said act for that purpose were particularly mentioned and expressed and enacted again in the body of this present act.

collected as ale house licence by 33 G. 2. c. 10. I. 93.

II. And be it enacted by the authority aforesaid, that every pedlar, hawker, petty chapman, and other trading person or persons, so travelling as aforesaid, shall before the twenty-fifth day of March one thousand seven hundred and seventy six and so likewise in every year deliver, or cause to be delivered, to the collector of excise of the district, where he or she shall reside or dwell, a note in writing under his or her hand, or under the hand of some person by her or him authorized in that behalf, how and in what manner he or she intends to travel and trade, whether on foot or with one or more horse or horses, ass or asses, mule or mules, or other beast or beasts bearing or drawing burthen; and thereupon a licence or licences shall be granted by such collector unto him or her for his or her so travelling and trading, for which he or she shall thereupon pay or cause to be paid for each licence unto such collector the yearly duty herein before directed to be payable for the same.

Note of intended manner of travelling given yearly to collector,

licenced thereon.

III. And be it enacted by the authority aforesaid, that if any such hawker, pedlar, or petty chapman, or other person, from and after the said twenty fifth day of March one thousand seven hundred and seventy six be found trading as aforesaid without, or contrary to, or not warranted by such licence or licences, such person shall for each and every such offence forfeit the sum of five pounds; one moiety thereof to the informer, and the other moiety to the incorporated society in Dublin for promoting English protestant schools in Ireland; and that if any person so trading, upon demand made by any revenue officer or officers, or by any justice of the peace, mayor, constable, or other officer of the peace of any county, city, town corporate, or borough, where he or she shall so trade, shall refuse to produce and shew immediately unto such person or persons as aforesaid, so demanding the same, his or her licence or licences for so trading, to be granted as aforesaid, that then the person so refusing shall forfeit twenty shillings to be paid to the informer, and for nonpayment thereof shall suffer as a common vagrant, and be committed to the house of correction.

Trading without or contrary to licence, 5l.

to the society and informer,

refusing to produce licence to revenue or peace officer, 20s. to informer, or committed.

IV. And be it enacted by the authority aforesaid, that it shall and may be lawful to and for the said collectors of the several districts in this kingdom respectively, and they are hereby respectively directed, appointed, and required, upon the terms aforesaid, and upon the receipt as aforesaid, to grant one or more licence or licences under their respective hands to every hawker, pedlar, petty chapman, or any other trading person, for him or herself, with one or more horse or horses, ass or asses, mule or mules, beast or beasts, which he or they shall travel with, as the case shall require, according to the terms and directions of this act; and the said collectors are hereby required to insert in such licences, as they shall so issue or grant, the ages, places of abode, and a particular description of the persons, to whom licences shall be granted pursuant to this act, and to number each licence, and keep particular entries of such descriptions and licences; for each of which licences there shall be taken by such collectors for their own use one shilling and no more, except such hawker, pedlar, or petty chapman, shall travel with horse, ass, or mule, or other beast bearing or drawing burthen, and in

Collectors on receipt to grant licences,

inserting the person's age, abode, and description, numbered & entered, fee, 1s.

if with horse, &c. 2s.

A. D. 1775-6. Chap. 18.

in that caſe there ſhall be paid to ſuch collectors for their own uſe for each of ſuch licences for horſes, aſſes, mules, or beaſts of burden, two ſhillings, and no more, over and above the duties aforeſaid; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts of the duties hereby granted, and pay the money ariſing thereby into his Majeſty's treaſury, as other money received by them for the uſe of his Majeſty.

Separate accounts kept, and paid to treaſury.

V. And be it enacted by the authority aforeſaid, that the ſaid collectors ſhall be accountable to his Majeſty for the duties hereby granted, and ſhall be ſubject to the like penalties and forfeitures for not rendring a true account thereof, and paying the ſame in manner before mentioned, as they are and ſtand liable unto for not rendring a true account of any money received by them for the uſe of his Majeſty.

Accountable as for other money.

VI. And be it enacted by the authority aforeſaid, that the monies, ariſing from the ſaid duties hereby granted, ſhall from time to time be brought into the receipt of his Majeſty's exchequer, and ſhall from time to time without any fee or deduction whatſoever, be paid by the vice treaſurer or receiver general of this kingdom to the incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools in Ireland, or to their treaſurer for the time being, for the uſe of the ſaid incorporated ſociety.

Brought into exchequer, paid without fee to the ſociety.

VII. And be it enacted by the authority aforeſaid, that if any perſon or perſons whatſoever ſhall forge or counterfeit, or cauſe to be forged or counterfeited, any licence for the purpoſes aforeſaid, or travel with ſuch forged or counterfeited licence, knowing the ſame to be forged or counterfeited, ſuch perſon ſhall forfeit the ſum of fifty pounds, one moiety thereof to the King, and the other moiety to him who ſhall proſecute or ſue for the ſame, to be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at the four courts in Dublin, in which no eſſoign, protection, or wager of law, or more than one imparlance ſhall be allowed; and that ſuch perſon ſhall be ſubject to ſuch other pains and penalties, as may be inflicted on perſons for forgery.

Forging licence, or uſing it knowingly, 50l. to K. and proſecutor,

and penalties for forgery.

VIII. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall be ſued, or moleſted, or troubled for putting in execution any of the powers contained in this act, or for doing any matter or thing purſuant thereto, ſuch perſon and perſons ſhall and may plead the general iſſue, and give the ſpecial matter in evidence; and if the plaintiff or plaintiffs ſhall be nonſuited, or judgment be given againſt him or them upon demurrer or otherwiſe, or a verdict paſs for the defendant or defendants, or a diſmiſs upon a civil bill, ſuch defendant or defendants ſhall have his, her, or their treble coſts; to be recovered in ſuch manner as by law coſts given to defendants may be recovered in other caſes.

Defendants may plead general iſſue, &c. and have treble coſts.

IX. And be it enacted by the authority aforeſaid, that if any conſtable ſhall refuſe or neglect upon due notice, or upon his own view, to be aiding and aſſiſting in the execution of this act, being thereunto required, every ſuch conſtable, being thereof convicted by the oath of one or more credible witneſs or witneſſes before any juſtice of the peace for the county or place, where ſuch offence ſhall be committed, ſhall forfeit for each and every ſuch offence contrary to this act the ſum of forty ſhillings; to be levied by diſtreſs and ſale of the offenders goods by warrant under the hand and ſeal of ſuch juſtice of the peace; one moiety thereof to be paid to the ſaid incorporated ſociety, the other moiety to the informer who ſhall proſecute for the ſame, rendring the overplus thereof, if any there be, to the owner of the goods ſo diſtrained.

Conſtable on notice or view not aſſiſting, 40s. to the ſociety and proſecutor.

X. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for any perſon or perſons whatſoever to ſeize and detain any ſuch hawker, pedlar, petty chapman, or other trading perſon or perſons in this act mentioned, and alſo the goods they ſhall be found trading with, until ſuch time as he, ſhe, or they ſhall produce a licence in that behalf, if he, ſhe, or they have any; and if he, ſhe, or they ſhall be found trading without licence contrary to this act, that then it ſhall and may be lawful to and for ſuch perſon or perſons ſo ſeizing as aforeſaid, taking

Any one may ſeize perſons and goods till licence produced,

and carry before a juſtice or the collector,

taking to his, her, or their assistance such person or persons, as he or they shall think fit, to carry the person so seized, as also the said goods, before some one of his Majesty's justices of the peace for the county or place, or before the collector of his Majesty's revenue for the district, where such offence or offences shall be committed; which said justices of the peace and the collectors respectively are hereby strictly required either upon the confession of the party offending, or due proof of a witness upon oath, which they are hereby respectively impowered to administer, that the person so brought before him had so traded as aforesaid, unless such licence shall be produced by such offender before the said justice or collector, by warrant under his hand and seal to cause the sum of five pounds to be forthwith levied by distress and sale of the offender or offender's goods, wares, or merchandizes, rendering the overplus, if any be, to the owner or owners thereof, after deducting the reasonable charges for taking the said distress, and out of the said sale to pay the penalty and forfeiture aforesaid.

and carry before a justice or the collector,

unless licence produced, 5*l.* by distress and sale.

XI. Provided always, and be it enacted by the authority aforesaid, that this act, or any thing herein contained, shall not extend to prohibit any person from selling any act of parliament, form of prayer, proclamation, gazette, almanack, or other printed paper, or any fish, fruit, or victuals, nor to hinder any person or persons who are the real workers or makers of any goods or wares within this kingdom, or his or their wife or wives, apprentice or apprentices, from carrying abroad, exposing to sale, and selling any of the said goods or wares of his, her, or their making in any publick fairs, markets, or elsewhere; nor any tinker, cooper, glazier, plumber, harness mender, or other persons usually trading in mending kettles, tubs, household goods, or harness whatsoever, from going about such business only, or from carrying with him or them proper materials for mending the same, and no other thing for sale.

Exempted, printed papers, fish, fruit, victuals, real makers of goods, tinkers, &c.

carrying no other thing for sale.

XII. Provided also, and be it enacted by the authority aforesaid, that this act, or any thing herein contained, shall not extend to subject any person or persons, who shall carry raw and unmanufactured wool, or frizes, or worsted or woollen stockings, from one part of the kingdom to another, or expose the same to sale in any fair, market, or other place in this kingdom, to any of the duties or penalties herein before mentioned; so as such person or persons shall not at the same time carry or expose to sale any other wares, goods, or merchandizes, except the said raw and unmanufactured wool, and the said frizes, and worsted, and woollen stockings.

Wool, frizes, worsted or woollen stockings only.

XIII. Provided also, and be it enacted by the authority aforesaid, that this act, or any thing herein contained, shall not extend to prohibit or restrain any person or persons from selling, or exposing to sale, in any place or places whatsoever any flax, tow, hemp, flaxen yarn, hempen yarn, ticken, plain, striped, chequered, painted or stained linens, buckrams or canvas, so as such person or persons shall not at the same time carry or expose to sale any other goods, wares, or merchandizes, except such flax, tow, hemp, flaxen yarn, hempen yarn, tickens, plain, striped, chequered, painted or stained linens, buckrams or canvas as aforesaid.

Flax, tow, yarn, linens, buckram, &c. only.

XIV. Provided also, and be it enacted by the authority aforesaid, that this act, or any thing herein contained, shall not extend to subject any person or persons who shall carry any pots or griddles made of cast iron or metal from one part of the kingdom to another, or expose the same to sale in any fair, market, or other place in this kingdom, to the payment of any greater duty than the sum of twenty shillings by the year in the whole; although such person or persons shall or may trade or travel with one or more horse or horses, or other beast or beasts, drawing or bearing burthen; so as such person or persons shall not at the same time carry or expose to sale any other goods, wares, or merchandizes, except the said pots and griddles made of cast iron or metal.

Metal pots or griddles not a year only, tho' with horses.

XV. Provided also, and be it enacted by the authority aforesaid, that it shall and may be lawful to and for the commissioners of his Majesty's revenue, or any three or more of them for the time being, to order and direct to be paid out of

3 Commissioners may direct rewards.

A. D. 1775-6. Chap. 18.

the monies raiſed by this act, to the ſaid collectors, their clerks, or any other perſon, ſuch ſums of money, as they or any of them ſhall or may reaſonably deſerve for their ſervice, or ſhall or may have expended in the execution of or in relation to this act.

Not to licence ſale in corporations ſave as before.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, that this act, or any thing herein contained, ſhall not extend or be conſtrued to give any power for licencing any hawker, pedlar, or petty chapman, to ſell, or expoſe to ſale, any wares, or merchandizes in any city, borough, town corporate, or market town within this realm, any otherwiſe than he or ſhe might have done before the making of this act; any thing herein contained to the contrary notwithſtanding.

Privately conveying and ſelling in hired places where not reſident, on booths or ſtalls not adjoining dwelling, without licence,

XVII. And whereas it frequently happens, that dealers, hawkers, and pedlars, in order fraudulently to evade the payment of his Majeſty's duty on licences do not openly travel from town to town, or to men's houſes, but privately convey and carry their goods, wares, and merchandizes, and ſell, or expoſe to ſale, the ſame in ſhops, rooms, or warehouſes, or other places hired for that purpoſe in cities, towns, and places, where they are not uſually reſident; and divers other perſons privately carry and convey their goods, wares, and merchandizes to publick ſtreets and places in cities, towns corporate, and other places in this kingdom, where they reſpectively reſide, but not adjoining or near to their dwelling houſes or other apartments, and ſell and expoſe the ſame to ſale upon booths, ſtalls, or ſtandings, without licence: and whereas ſeveral people, under the denomination of leather cutters or leather ſellers hawk about from town to town, and expoſe to ſale, in cities and towns corporate, and in fairs, marts, markets, and in other places, large and ſmall parcels of leather in booths, ſtalls, ſtandings, or otherwiſe; and alſo divers perſons under the denomination of cryers of old caſt cloaths do alſo hawk about the ſtreets of cities and towns corporate, and other places in this kingdom, old caſts cloaths, and alſo expoſe to ſale ſeveral of ſuch kind of goods on ſtands or ſtalls, or otherwiſe, without a licence: and whereas a doubt has ariſen, whether ſuch perſons aforeſaid are to be deemed hawkers, pedlars, or petty chapmen, or trading perſons, within the meaning and intention of former acts of parliament made in this kingdom for licencing hawkers and pedlars, and for the encouragement of the Engliſh proteſtant ſchools, and ſubject to the penalties and forfeitures thereof: therefore be it enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy ſix until the twenty fifth day of March one thouſand ſeven hundred and ſeventy eight all and every the perſons aforeſaid ſhall pay ſuch duty as aforeſaid, and take out ſuch licences in manner as aforeſaid; and in caſe any perſon or perſons whatſoever ſhall be found trading, or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as herein is excepted) in any ſhop or ſhops, room or rooms, warehouſe or warehouſes, or other place or places in any city, borough, town corporate, market town, village, or other places within this kingdom, wherein he, ſhe, or they have not been reſident one calendar month previous to the ſelling or expoſing to ſale any goods, wares, or merchandizes (except as before excepted) and ſell or expoſe to ſale ſuch goods, wares, or merchandizes therein, or in any of them, without licence as aforeſaid, ſuch perſons reſpectively, and alſo all ſuch perſon or perſons as ſhall be found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as aforeſaid) upon booths, ſtalls, ſtandings, or otherwiſe, in any publick ſtreet or ſtreets, place or places in any city, borough, town corporate, market town, village, or other place within this kingdom, ſuch booths or other places of ſale not being adjacent or adjoining his, her, or their dwelling houſe or houſes, ſhop or ſhops, warehouſe or warehouſes, or other apartments, and alſo all perſons under the denomination of leather cutters or leather ſellers, who ſhall hawk about from town to town, and ſell, or expoſe to ſale, in cities and towns corporate, or in fairs, marts, or markets, or other places, large or ſmall parcels

leather cutters or ſellers,

cryers of old cloaths,

Deemed within this act, and liable as hawkers without licence,

of leather in or upon booths, ſtalls, ſtandings, or otherwiſe, and alſo all perſons under the denomination of cryers of old caſt cloaths, who ſhall hawk about the ſtreets, lanes, or alleys of cities and towns corporate, and other places in this kingdom, to purchaſe or ſell old caſt cloaths of any kind whatſoever, or ſhall ſell, or expoſe to ſale, any ſuch goods on ſtands, ſtalls, or otherwiſe, without licence as aforeſaid, all and every ſuch perſon or perſons ſhall be deemed and taken to be a hawker or hawkers, pedlar or pedlars, petty chapman or petty chapmen, within the meaning of this act to all intents and purpoſes, and ſhall be ſubject and liable to all and every the penalties and forfeitures by the ſame inflicted upon hawkers, pedlars, petty chapmen, and others, trading without licence; any thing herein contained to the contrary notwithſtanding.

A ſeparate foot licence for every perſon, ſervant or other, employed to carry goods,

XVIII. And whereas it hath been found, that ſeveral hawkers, pedlars, and petty chapman have reſpectively employed one or more other perſon or perſons, ſervant or ſervants, with him, her, or them, to carry about boxes, bundles or parcels of goods, wares, and merchandizes, on their backs, arms, or otherwiſe, ſeparate and diſtinct from that or thoſe carried about by him, her, or themſelves, and have ſold and expoſed to ſale in booths, ſtands, and ſtalls, or otherwiſe, as well the ſaid goods, wares, and merchandizes, ſo carried by ſuch other perſon or perſons, ſervant or ſervants, as thoſe carried by him, her, or themſelves, under the ſanction of one foot licence taken out by ſuch perſon or perſons ſo being or appearing to be the principal owner or proprietor thereof, without ſeparate or diſtinct licence or licences for ſuch other perſon or perſons, ſervant or ſervants: and it hath been alſo found, that by means and under the ſanction of one licence many perſons, principal and ſeparate dealers, who have no connection with ſuch perſon or perſons, having one licence only as aforeſaid, alſo fraudulently paſs under the denomination of his, her, or their ſervant or ſervants, and trade without licence, to the great injury of the fair trader and dealer with licence, and the great diminution of the ſaid tax on hawkers and pedlars: and whereas it is reaſonable, that a horſe licence ſhall be paid for and taken out for every horſe, mule, aſs, or beaſt of burthen, that ſhall be made uſe of or driven by every hawker, pedlar, and petty chapman: therefore be it enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy ſix until the twenty fifth day of March one thouſand ſeven hundred and ſeventy eight every hawker, pedlar, and petty chapman, for every perſon that ſhall be employed or carry, whether ſervant or other perſon, in his or her company or otherwiſe, any boxes, or bundles, or parcels of goods, wares, or merchandizes, on their backs, arms, or otherwiſe, ſeparate or diſtinct for the purpoſe of ſelling and trading with the ſame, ſhall take out and pay for as aforeſaid a ſeparate and diſtinct foot licence for every ſuch perſon; and alſo that every hawker, pedlar, and petty chapman for every horſe, mule, aſs, or beaſt of burthen, that he or ſhe ſhall make uſe of or drive, whether in his or her own company, or otherwiſe, ſhall take out and pay for a ſeparate and diſtinct horſe licence; and ſuch ſeparate and diſtinct perſon, whether ſervant or other perſon, employed or carrying ſuch boxes, bundles, or parcels as aforeſaid, and ſuch hawker, pedlar, or petty chapman, that ſhall not take out a horſe licence for every horſe, or beaſt of burthen, he or ſhe ſhall make uſe of, or drive, as aforeſaid, ſhall be ſubject and liable to all and every the penalties and forfeitures by this act inflicted upon hawkers, pedlars, petty chapmen, and others trading without licence; it being the true intent and meaning of this act, that for one foot licence no more goods, wares, or merchandizes ſhall by virtue of this act be hawked about for ſale as aforeſaid, than one perſon can well or reaſonably bear, or carry, or travel with, and for one horſe licence no more goods, wares, or merchandizes ſhall by virtue of this act be carried about as aforeſaid, than one horſe, aſs, mule, or other beaſt of burthen, can well or reaſonably bear or carry or travel with; any thing herein contained to the contrary notwithſtanding.

and ſeparate horſe licence for every beaſt of burthen uſed in his company or otherwiſe,

or liable to penalties on trading without licence,

for 1 foot or horſe licence no more goods hawked than can be reaſonably born by one.

CHAP.

A. D. 1775-6.

CHAP. XIX.

An act for the improvement of the fisheries of this kingdom.

WHEREAS the fisheries, carried on by the subjects of his Majesty's dominions in Europe, have been found to be the best nurseries for able and experienced seamen, always ready to man the royal navy when occasions require; and it is therefore of the highest national importance to give all due encouragement to the said fisheries, and to endeavour to secure the annual return of the fishermen, sailors, and others employed therein, to the ports of his Majesty's said dominions at the end of every fishing season: now in order to promote these great and important purposes, and with a view in the first place to induce his Majesty's subjects to proceed early from the ports of this kingdom to the banks of Newfoundland, and thereby to prosecute the fishery on the said banks to the greatest advantage, be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the first day of January one thousand seven hundred and seventy six the respective bounties herein after mentioned shall be paid and allowed annually for eleven years for a certain number of ships or vessels employed in the British fishery on the banks of Newfoundland, under the limitations and restrictions herein after mentioned, that is to say, such vessels as shall appear by their register to be British built, and owned by his Majesty's subjects residing in Great Britain or Ireland, and shall be of the burthen of fifty tons, or upwards, and navigated with no less than fifteen men each, three fourths of whom besides the master shall be his Majesty's subjects, and in other respects qualified, and subject to the same rules and restrictions, as are described by an act made in Great Britain in the tenth and eleventh years of the reign of the late King William the third, entitled, *An act to encourage the trade to Newfoundland*, and shall be fitted and cleared out from some port in Ireland, after the first of January one thousand seven hundred and seventy six, and after that day in each succeeding year, and shall proceed to the banks of Newfoundland; and having catched a cargo of fish upon those banks, consisting of no less than ten thousand fish by tale, shall land the same at one of the ports on the south eastern side of the island of Newfoundland between Cape Ray and Cape de Grat

From 1st January 1776 annual bounties 11 years for ships in *British* fishery on *Newfoundland* banks,

by registry *British* built,

of subjects in *G. Britain* or *Ireland*,

of 50 tons and 15 men,

3-4ths besides master subjects, qualified

under rules in *British* act 10 and 11 W. 3.

cleared from an *Irish* port after 1st Jan. yearly,

proceeding to the banks,

catching 10000 fish by tale,

landing at port in *New-*

on

on or before the fifteenth day of July in every year, and shall make one or more trip at least to the said banks, and return with another cargo of fish catched there to the same port; in which case the twenty five of said ships first arriving at the said island of Newfoundland from the banks thereof with a cargo of fish catched there, consisting of ten thousand fish by tale at least, and after landing the same at one of the ports within the limits before mentioned in Newfoundland shall proceed again to the said banks and return to the said island with another cargo of fish, shall be entitled to forty pounds each; and fifty vessels, which shall so arrive the next in order of time on or before the said fifteenth of July in each year at the said island with the like cargo, and shall proceed again to the said banks, and return from thence in the manner herein before mentioned, shall be entitled to twenty pounds each; and fifty other vessels, which shall so arrive the next in order of time on or before the said fifteenth day of July in each year at the said island with the like cargo, and as shall proceed again to the said banks, and return from thence in the manner herein before mentioned, shall be entitled to ten pounds each, upon the master or owner of such vessels producing to the collector of his Majesty's revenues at the port in Ireland, from whence such vessel was cleared out, a certificate under the hand and seal of the governor of Newfoundland, that the master of such vessel had produced to him a certificate under the hands of the collector and comptroller of the customs at the port from whence such vessel was cleared out, testifying that such vessel was duly qualified to proceed on such fishery in pursuance of the before mentioned act, made in the tenth and eleventh years of King William the third; and that it has been made appear to his satisfaction by a certificate under the hand and seal of the naval officer of the district in Newfoundland, where such fish was landed, or where there is no naval officer under the hand and seal of the commander of any of his Majesty's ships stationed there, or of such officer as the governor shall approve, specifying the time of such vessel's arrival in manner before directed, that such vessel was entitled by the priority and time of her arrival to one or other of the bounties therein mentioned, as the fact may be; and that the master and mate of such vessel had made oath before such naval or other officer as aforesaid, that a number of fish taken on the first trip amounted to ten thousand at least by tale; and that all the fish on both trips were catched on the banks of Newfoundland; and upon delivering up the said certificate to such collector, the respective bounties therein mentioned shall be paid by such collector

foundland between *Cape Ray* and *de Grat*, by 15 July, returning with another cargo.

the 25 ships first arriving intitled to 40l. each,

the next 50 to 20l. each,

next 50 to 10l. each,

on *Newfoundland* governor's certificate to collector, at the *Irish* port whence cleared, of producing certificate of qualification, time of arrival where the fish landed, and title by priority to one of the bounties, and of oath by master and mate of the number and of all being taken on the banks,

the bounties paid by such collector,

or on his certifying not having sufficient, by commissioner's order to collector of *Dublin*.

A. D. 1775-6.

tor out of any money remaining in his hands, being part of his Majesty's revenues: and in case such collector shall not have sufficient money in his hands, he shall certify the same to the chief commissioners of his Majesty's revenues in Dublin, who are hereby authorized and required to order the same to be paid by the collector of the port of Dublin out of any money in his hands, arising from his Majesty's revenues as aforesaid.

Train oil, blubber, whale fins, raw seal skins, imported and exported without duty 21 years from 1st January 1776.

II. And be it further enacted by the authority aforesaid, that from and after the first day of January one thousand seven hundred and seventy six, during the said eleven years, it shall and may be lawful for any person or persons to import into this kingdom, and to export out of the same, any train oil, or blubber of fish, or other creatures living in the sea, or whale fins, or any raw and undressed seal skins, taken in any part of the ocean by the crews of vessels belonging to and fitted out either from Great Britain, Ireland, Guernsey, Jersey, or Man respectively, and whereof the captain or master, and three fourths at the least, are his Majesty's subjects, or by persons employed by the masters or owners of such vessels, and imported into this kingdom in ships or vessels truly and properly belonging to his Majesty's said subjects, without paying any custom, subsidy, or other duty for the same, any law or usage to the contrary notwithstanding.

CHAP. XX.

An act to explain and amend an act, entitled, *An act for paving the streets, lanes, quays, bridges, squares, courts, and alleys, within the city and county of the city of Dublin, and other purposes relative to the said city of Dublin, and other places therein particularly mentioned; and for extending the provisions of the said act to the baronies of Saint Sepulchre's and Donore.*

Every clause relating to extending provisions herein to barony of Donore repealed by 19 & 20 G. 3. c. 44. s. 17.

13 & 14 G. 3. c. 22.

WHEREAS an act was passed in the thirteenth and fourteenth years of his present Majesty, entitled, *An act for paving the streets, lanes, quays, bridges, squares, courts, and alleys within the city and county of the city of Dublin, and other purposes relative to the said city of Dublin, and other places therein particularly mentioned*: and whereas it would forward the good purposes of said act, that for the future no commissioner or committee-men should have power to act, who shall not in their own right, or in right of their wives, be possessed of a certain property: and whereas a power is given by the said act to the commissioners

therein named, or any ſeven or more of them, to cauſe all poſts, rails, ſigns, ſteps, bulks, ſtalls, holes, pits, ſhow glaſſes, ſhow boards, jet-out windows, walls incloſing dunghills, as alſo all ſteps and doors opening or leading from the foot ways, or carriage ways, into vaults, cellars, or other places, to be removed, filled up, or altered: and whereas it has cauſed ſome diſcontents, that the powers of removing rails from the fronts of houſes, and filling up areas, is intruſted to the determination of ſo ſmall a body as ſeven commiſſioners: and whereas ſome further powers and authorities are neceſſary to be given, and ſome further regulations ought to be made, in order to effect the purpoſes aforeſaid: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of May one thouſand ſeven hundred and ſeventy ſix no perſon ſhall be capable of acting as a commiſſioner or a committee-man in the execution of this act, unleſs he ſhall then be in his own right, or in right of his wife, in the actual poſſeſſion or receipt of the rents of lands, tenements, or hereditaments of the clear yearly value of twenty pounds, or poſſeſſed of, or intitled to a perſonal eſtate of the value of three hundred pounds; and if any perſon, not being ſo qualified, ſhall preſume to act, every ſuch perſon ſhall for every ſuch offence forfeit and pay the ſum of fifty pounds to any perſon or perſons, who ſhall ſue for the ſame; to be recovered in any of his Majeſty's courts of record by action of debt or on the caſe, or by bill, or ſuit, or information, together with coſts of ſuit, wherein no eſſoign, protection, or wager of law, or more than one imparlance, ſhall be allowed, and wherein the proof of qualification ſhall lie on the perſon proſecuted; and it ſhall be ſufficient on the part of the proſecutor to prove, that the perſon ſo proſecuted had acted as a commiſſioner or committee-man in the execution of this act.

Qualification of commiſſioners or committee 20l. a year rents of lands, or 300l. perſonal,

penalty 50l.

to proſecutor,

proof on defendant.

II. And be it further enacted by the authority aforeſaid, that no victualler or perſon, who ſhall ſell ale, wine, or ſpirituous liquors by retail, ſhall be elected or be capable of acting as a commiſſioner or committee-man under this act.

No victualler or retailer of liquors to act.

III. And be it further enacted by the authority aforeſaid, that in caſe a ſufficient number of the committee-men ſhall refuſe or neglect to attend on regular notice being given in order to carry into execution the orders and directions of the commiſſioners, that then and in all ſuch caſes it ſhall and may be lawful to and for the ſaid commiſſioners, or any ſeven or more of them, to carry

Committee refuſing to attend, 7 commiſſioners may execute.

carry their ſaid orders into execution, without the concurrence of ſuch committee ſo refuſing or neglecting to attend, and their orders to the ſervants or officers of ſuch committee ſhall be ſufficient authority for them to act under,

election of commiſſioners by common council from 3 to 3 years, as by 13 and 14 *G.* 3. c. 22. ſ. 2. ſave the time altered from 24 June to within 14 days after 24 December.

IV. And whereas by the ſaid act the aſſembly or common council of the city of Dublin are empowered to elect fifteen aldermen and fifteen common council-men, together with the commiſſioners therein named and appointed, to be commiſſioners for carrying ſaid act into execution, which commiſſioners ſo elected are to continue in office for three years, ending the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſeven: be it enacted by the authority aforeſaid, that the aldermen and common council-men returned to be commiſſioners purſuant to the election had in conſequence of ſaid act, or ſuch perſons as may be choſen to ſucceed, in caſe of any vacancy which may happen among them, ſhall continue to be commiſſioners until the twenty fourth day of December one thouſand ſeven hundred and ſeventy ſeven; within fourteen days after which the ſaid aſſembly or common council ſhall elect to be of the ſaid commiſſioners ſo many and ſuch perſons, as by the ſaid act they are empowered, which election ſhall be continued from three years to three years during the continuance of this act, and to be in manner and form as by the ſaid act is particularly directed in all reſpects, except only in the alteration of the time of making ſuch election from the twenty fourth of June to ſome day within fourteen days after the twenty fourth day of December in every year, where ſuch elections are to be made as aforeſaid, any thing in the ſaid act to the contrary notwithſtanding.

Commiſſioners (not from office) neglecting meeting 12 months, committee 1, unleſs ſickneſs, his place vacant,

V. And be it enacted by the authority aforeſaid, that if any preſent or future commiſſioner (not being a commiſſioner from office) ſhall neglect to attend the meetings, which ſhall be held in purſuance of ſaid act, for the ſpace of twelve months, or if any preſent or future committee-man ſhall neglect to attend the meetings, which ſhall be held in purſuance of ſaid act, for the ſpace of one month, except he is prevented by ſickneſs or other bodily inability, that his place ſhall become void and vacant, as if he was naturally dead, and ſuch commiſſioner or committee-man ſhall be no longer authorized or empowered to act in the ſaid office; and it ſhall and may be lawful for the remaining commiſſioners, and they are hereby required, in the manner preſcribed in the ſaid act to elect a fit perſon to be a commiſſioner in the room and place of ſuch former commiſſioner; and if ſuch vacancy ſhall happen by the neglect and non-attendance as aforeſaid of any

another elected as by ſaid act,

on notice to lord mayor by common council clerk,

of

of the commiſſioners elected by the common council of the city of Dublin, then and in ſuch caſe the clerk to the ſaid commiſſioners ſhall give notice thereof to the lord mayor, who ſhall proceed, as the ſaid act directs, to elect ſome other perſon in the room and place of ſuch former commiſſioner, which newly elected commiſſioner ſhall continue a commiſſioner till the expiration of the three years, for which the aldermen and common councilmen then commiſſioners ſhall have been elected; and if ſuch vacancy ſhall happen by the neglect or non-attendance of any committee-man, then and in ſuch caſe the clerk to the diviſion, wherein ſuch vacancy ſhall happen, ſhall give notice thereof to the miniſter or curate of the pariſh, in which ſaid perſon was elected; and ſuch miniſter or curate ſhall, in the manner ordered and directed in the ſaid act, convene a meeting of the proteſtant pariſhioners, and ſhall elect ſome other perſon to be a committee-man in the room and place of ſuch former committee-man; and ſuch perſon, who ſhall be elected to fill any vacancy of commiſſioner or committee-man, in manner as herein before mentioned, after he ſhall have performed the requiſites in the ſaid act ſet forth, ſhall and is hereby declared to have all and every the rights, powers, and authorities of the perſon, to whom he was ſo appointed and elected to ſucceed as a commiſſioner or committee-man reſpectively.

or to the miniſter or curate by clerk to the diviſion.

VI. And be it enacted by the authority aforeſaid, that any five or more of the perſons conſtituting committees in the ſeveral diviſions in the ſaid act mentioned, and the two diviſions hereby added, ſhall and may, at the time they contract for paving, or at any other time, contract for keeping in repair the pavement of any of the ſquares, ſtreets, bridges, quays, courts, alleys, places, and lanes, in their reſpective diviſions, which contract or contracts ſhall be done, executed, and approved of, in manner and form as by the ſaid act is particularly mentioned.

5 Perſons conſtituting committees may contract for repairing pavement in diviſion, approved as by ſaid act.

VII. And be it further enacted by the authority aforeſaid, that the powers veſted in the commiſſioners by the ſaid recited act for cauſing all rails, jet-out windows, and areas, to be removed, filled up, and altered, ſhall not be carried into execution at any meeting, in which a leſs number than fourteen commiſſioners ſhall be preſent.

14 commiſſioners at meeting to alter rails, windows, areas.

VIII. Provided always, that no rail, area, or jet-out window, ſhall hereafter be removed, filled up, or altered, in any ſtreet, which ſhall be thirty feet in breadth from area to area, and upon the quays from the area to the wall of the river, without the

In ſtreets 30 feet broad, or quays, not without conſent.

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consent first had and obtained of the owner or proprietor of such house.

14 commissioners may demise or mortgage assessment in each division as security for loan thereon,

IX. Provided always, and be it further enacted by the authority aforesaid, that the said commissioners, or any fourteen or more of them, (any thing in this or in said recited act to the contrary notwithstanding) may, and they are hereby empowered, to borrow at interest upon the credit of the said rates and assessments in each of said five divisions in said recited act mentioned, and in each of the said two divisions hereby added, such sums as they shall find necessary for the purposes in said acts mentioned, in each of such divisions respectively; and may demise or mortgage the said rates and assessments in each of the said divisions respectively, or any part thereof (the costs of such mortgage to be paid out of such rates and assessments) as a security to any person who shall advance such sum or sums, by writing under their common seal, in the words or to the effect following:

by writing under common seal.

" By virtue of an act made in the fifteenth and sixteenth " years of the reign of his Majesty king George the third, " entitled, *An act to explain and amend an act for paving the* " *streets, lanes, quays, bridges, squares, courts, and alleys, within* " *the city and county of the city of Dublin, and other purposes re-* " *lative to the said city of Dublin, amd other places therein par-* " *ticularly mentioned*, we the commissioners for paving the streets " of Dublin in consideration of the sum of " to the treasurer of the said commissioners in hand paid do " grant, bargain, sell, and demise unto *A. B.* his executors, " administrators, and assigns, such proportion of the rates and " assessments arising in division, by virtue " of an act passed in the thirteenth and fourteenth years of " his present Majesty's reign, entitled, *An act for paving the* " *streets, lanes, quays, bridges, squares, courts, and alleys, within* " *the city and county of the city of Dublin, and other purposes* " *relative to the said city of Dublin, and other places therein par-* " *ticularly mentioned*, and said act made in the fifteenth and six- " teenth years of his said Majesty's reign, as the said sum of " doth or shall bear to the whole sum " advanced or to be advanced on the credit thereof, to be " had and holden from this " day of in the year of our Lord " for and during the continuance " of the said acts, unless the said sum of

" with intereſt, at the rate of *per centum* " *per annum* ſhall be ſooner repaid and ſatisfied."

copies entered,

And that copies of all ſuch mortgages or ſecurities ſhall be entered in the books or other records of the ſaid commiſſioners; and that the ſum, ſo raiſed in each diviſion in ſaid recited act mentioned, ſhall be applied and diſpoſed of in the diviſion, upon which the ſame ſhall be ſo raiſed; and the perſon or perſons, ſo lending or advancing any money upon the credit of this or the ſaid recited act, ſhall not be anſwerable or accountable for the application or non-application of the ſame; and it ſhall be neceſſary on any ſuit or controverſy whatſoever to prove only the advancing and payment of the ſame to the ſaid treaſurer; and in all caſes whatſoever, where any notice or proceſs iſſuing out of any court of law or equity relative to this or ſaid former act ſhall be neceſſary to be ſerved on ſaid commiſſioners, or the corporation erected by ſaid recited act, ſervice of the ſame on the treaſurer appointed by ſaid commiſſioners under ſaid act ſhall be deemed and adjudged good and ſufficient ſervice to all intents and purpoſes whatſoever.

money applied where raiſed,

lender not anſwerable for application,

ſervice of notice or proceſs on treaſurer ſufficient.

Such ſecurity transferable by indorſement.

X. And be it further enacted by the authority aforeſaid, that all perſons, to whom ſuch mortgage or ſecurity ſhall be made, or who ſhall be entitled to the money thereby ſecured, may from time to time transfer their right, title, intereſt, or benefit to the ſaid mortgages or ſecurities, and the ſaid principal and intereſt thereby ſecured, to any perſon by writing or ſigning an indorſement on the back of ſuch ſecurities in the words or to the effect following.

I do transfer this mortgage or ſecurity, with all my right and title to the principal hereby ſecured, and to all the intereſt now due upon the ſame, unto his executors, adminiſtrators, and aſſigns. Dated this day of

G. H.

So *toties*,

not after in power of aſſignor.

XI. And be it enacted by the authority aforeſaid, that ſuch transfer and aſſignment ſhall entitle ſuch aſſignee, his executors, adminiſtrators, and aſſigns, to the benefit thereof, and payment thereon; and ſuch aſſignee may in like manner aſſign or transfer the ſame again, and ſo *toties quoties*; and that it ſhall not be in the power of ſuch perſon, who ſhall have made ſuch aſſignment, to make void or diſcharge the original ſecurity or monies thereby due.

XII. And

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XII. And be it enacted by the authority aforeſaid, that all perſons, to whom ſuch mortgage, ſecurity, or aſſignment ſhall be made, ſhall be, (in proportion to the ſums mentioned,) creditors on ſuch rates and aſſeſſments, on credit whereof ſuch ſums are advanced, in equal degree one with another.

Mortgagees creditors in equal degree in proportion to the ſums.

XIII. And be it further enacted by the authority aforeſaid, that the property of ſuch lender in ſuch mortgage or ſecurity ſhall be deemed and adjudged in all courts of law and equity to be perſonal and not real eſtate; and alſo deemed and adjudged not ſubject to or to be affected by any of the laws to prevent the further growth of popery, or ſubject to any diſcovery under the ſame.

Perſonal property,

not ſubject to popery laws.

XIV. And whereas by an act paſſed in the laſt ſeſſion of parliament, entitled, *An act for making and amending publick roads in the county of Dublin, and for regulating the aſſeſſing, applotting, and levying of money in the county of the city of Dublin*, it is amongſt other things enacted, that any perſon or perſons, who ſhall lay any filth or dirt collected from the ſtreets of the ſaid city, or liberties thereof, nearer than two hundred yards to any road within two miles of the caſtle of Dublin, or nearer than twenty one feet to the center of any road, at a greater diſtance than two miles from the ſame, ſhall be liable to ſuch forfeiture, as is therein mentioned: and whereas the ſaid recited part of the ſaid act hath been found inconvenient: be it enacted by the authority aforeſaid, that the ſaid recited part of the ſaid act ſhall be and the ſame is hereby repealed.

Part of 13 and 14 *G.* 3. c. 34. ſ. 42. repealed.

XV. And whereas by the ſaid act the owner or occupier of every houſe is required once in every day, as therein ſet forth, to ſcrape, ſweep, and cleanſe, or cauſe to be ſcraped, ſwept, and cleanſed, the footway all along the front of their reſpective houſes or tenements, or in default thereof ſhall forfeit and pay for every ſuch offence the ſum of one ſhilling: be it enacted by the authority aforeſaid, that the owner or occupier of any houſe, who ſhall offend by neglect or otherwiſe in the premiſſes, as ſet forth in the ſaid act, ſhall forfeit and pay the following ſums, that is to ſay, for the firſt offence one ſhilling; for the ſecond two ſhillings; for the third three ſhillings; for the fourth four ſhillings; and for the fifth five ſhillings; and the ſaid fine of five ſhillings for every time he ſhall after ſo offend; to be recovered in the ſame manner as all or any of the penalties and forfeitures by the ſaid act impoſed are made recoverable: and it ſhall and may be lawful to and for the ſaid commiſſioners, or any ſeven or more of them, to give and apply ſaid fines, as alſo all

13 & 14 G. 3. c. 22. ſ. 26. the fines therein for not cleanſing the foot way increaſed,

fines half to proſecutor.

all other fines levied by virtue of this and the said former act, or any part of them, (not exceeding one half of the sum so levied) to the person or persons who shall inform and prosecute to the recovery of such fine any such offender or offenders, and the residue of the said fine or fines towards the purposes of the said act.

Digging or leaving holes in streets not properly inclosed, or inclosing longer than necessary, not fencing areas, penalty 5*l.* & 5*l.* weekly.

XVI. And whereas in several of the streets, lanes, quays, squares, courts, yards, alleys, passages, and places, in the said recited act mentioned, there is a great quantity of earth dug up, and large holes or void spaces are left in such streets and places for the purpose of making vaults to the houses or tenements built or in building longer than is absolutely necessary: and whereas the areas before houses or tenements built or in building are often left open, and no fence, rails, or timber, properly placed or fixed up, so as to prevent passengers from falling down the same, by reason whereof the lives of many of his Majesty's subjects are endangered: be it enacted by the authority aforesaid, that if any person or persons whatsoever from and after the passing of this act shall dig out any earth, or leave any hole or void space in any street, or in any place before any house or tenement built, or in building, within the limits aforesaid, for the purpose of making vaults, or any other purpose whatsoever, and shall not inclose the same in a good and sufficient manner, to be approved of by the surveyor or surveyors for the time being to the said commissioners, or shall keep up such inclosure longer, than is absolutely necessary, or shall not well and sufficiently fence or rail before the area or areas fronting to any street or place, every person or persons, guilty of any of the offences aforesaid, shall forfeit and pay the sum of five pounds, and the like sum of five pounds for every week, that such nuisance shall be continued; to be recovered in like manner as penalties and forfeitures by the said recited act are directed to be recovered.

Obstructions in foot or carriage ways removed to store yard till 5*l.* paid,

XVII. And to the end that the foot ways and carriage ways in the parishes and places in the said five divisions, and also in the said two divisions hereby added, may be kept free from obstructions and annoyances, be it enacted by the authority aforesaid, that it shall and may be lawful to and for any person or persons appointed by the said commissioners, or any five or more of them, to seize any stand, table, basket, roots, fruit, barrow, blocks, timber, planks, benches, sticks, cask, or other obstruction or annoyance standing or lying in any of the foot ways or carriage ways in this and the said recited act mentioned, and cause the same to be removed to the store yard or place appointed for keeping materials for the works of the division, wherein

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such seizure shall be made, until the owner or owners shall pay the penalty of five shillings to redeem the same; and in case the same shall not be claimed, and the penalty of five shillings, together with the expence of removing the same, paid within two days next after such seizure thereof, it shall and may be lawful to and for such person or persons so appointed to cause the same to be appraised and sold, and the residue of the money arising therefrom (after paying the penalty and charges aforesaid) to be returned to the owner or owners of such standing, table, basket, roots, fruit, barrow, cask, or other article, who shall demand the same.

Sold on non-claim and payment in 2 days.

Wastes fenced in 21 days after notice by 5 commissioners,

XVIII. And be it enacted by the authority aforesaid, that all landlords, or owners, tenants, or occupiers of any waste or vacant piece of ground, or scite of any house or tenement, lying in or adjoining to any of the streets, lanes, or places in the said five divisions, and said two divisions hereby added, which shall lie open to and unfenced from the same, or where the fence shall be in a ruinous condition or out of repair, shall within twenty one days after notice delivered to him, her, or them, or any or either of them, by order of the said commissioners, or any five or more of them, well and sufficiently fence in the premisses mentioned in such notice, or cause the old fence (if any) to be well and sufficiently repaired within the time aforesaid; and in case such work shall not be compleatly finished within the time aforesaid, it shall and may be lawful to and for the said commissioners, or any five or more of them, to order and cause the same to be done, compleated, and finished, and the tenant or occupier thereof, or other person in possession thereof, or seized thereof, to whom such notice as aforesaid shall be given, shall pay the expence thereof, upon demand of the person authorized by the said commissioners, or any five or more of them, to receive the same; and in case of refusal or neglect to pay the same it shall and may be lawful for such person or persons, as the said commissioners, or any five or more of them, shall authorize, appoint, order, or direct for that purpose, to bring, commence, and prosecute one or more actions or suits for the recovery of such expence, together with costs of suit, from the person or persons so neglecting or refusing to pay as aforesaid.

or done by their order at party's expence.

Breaking or exercising horses in streets, &c.

XIX. And whereas horse riders and servants frequently exercise horses in the streets to the great annoyance of the passengers: be it enacted by the authority aforesaid, that if any person or persons shall be convicted in a summary way before a justice of the peace of the said city upon the oath of one or more credible

witneſſes or by confeſſion, of breaking or exerciſing horſes in any of the ſtreets comprehended within this or the ſaid recited act, that he or they ſhall be ſubject or liable to the penalty of ten ſhillings, to be recovered as other penalties in the ſaid recited act mentioned.

Rubbiſh not laid down,

XX. And whereas great inconvenience ariſes to the publick from laying coal aſhes, horſe dung, and other rubbiſh in the ſtreets, lanes, and alleys, and other places in this and the ſaid recited act mentioned, to the great annoyance of the publick; after which the ſame is carried upon low back cars, and heaped in ſuch a manner, that great part of ſuch rubbiſh is dropped, before it is carried out of town: for remedy whereof be it enacted by the authority aforeſaid, that from and after the firſt day of May one thouſand ſeven hundred and ſeventy ſix no perſon whatſoever, carrying out of any houſe, yard, cellar, court, lane, or alley, any coal aſhes, horſe dung, or any rubbiſh whatſoever, ſhall attempt to lay down the ſame in any place mentioned in the ſaid recited act, but ſhall have a cart ready at the door of ſaid houſe, yard, cellar, lane, or alley, to load ſaid coal aſhes, horſe dung, or rubbiſh in; and that no perſon whatſoever ſhall be permitted to load or carry away ſuch coal aſhes, horſe dung, or any rubbiſh on any low back car, or otherwiſe than in a cart, under the penalty of ten ſhillings, to be recovered as other penalties in the ſaid recited act mentioned, are recoverable.

... carried away in carts only, ready at the door,

penalty 10s.

repealed by 19 & 20 *G.* 3. *c.* 44. *ſ.* 18.

Building materials, &c. on carriage or footways, unleſs incloſed, removed in 2 days after notice,

XXI. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall at any time or times hereafter ſet or place, or cauſe to be ſet or placed, in any of the carriage ways or foot ways within the limits aforeſaid any caſks, package, timber, ſtones, wheels, bricks, lime, ſand, mortar, or wood, or any other material or thing whatſoever for the purpoſes of making mortar, or of building any houſe, ſhop, ware-houſe, coach-houſe, ſtable, or tenement, or for any other purpoſe (unleſs the ſame ſhall be incloſed in a paling or other erection, as herein after is directed) and ſhall not remove the ſame within the ſpace of two days next after notice to him or her given for that purpoſe, or left at the premiſſes where the ſame ſhall be, or if empty or unoccupied, or in building, ſtuck againſt the wall thereof by any one of ſuch commiſſioners as aforeſaid, or by any perſon or perſons by five or more of them appointed for that purpoſe; every perſon ſo offending ſhall for every ſuch offence forfeit and pay a ſum not exceeding ten ſhillings; and any one of ſuch commiſſioners, or any perſon or perſons ſo appointed by them, may ſeize or cauſe to be ſeized ſuch caſk, package, timber, ſtones, wheels, bricks, lime, ſand, mortar, wood, or other materials or things (not being incloſed as aforeſaid) and take or remove, or cauſe the ſame to be taken or removed, to the ſtore yard or place for keeping materials for the works of the diviſion, wherein ſuch ſeizure ſhall be made, there to be kept and detained until the owner or owners thereof, or his, her, or their known ſervant or ſervants ſhall and do pay to the perſons, in whoſe cuſtody

penalty 10s.

ſold, if not claimed and payment in 5 days

cuſtody the ſame ſhall be, the ſaid penalty, together with the charges of removing the ſame; and in caſe the ſame ſhall not be claimed, and the ſaid penalty and charges paid, within the ſpace of five days next after ſuch ſeizure thereof, then it ſhall and may be lawful to and for the ſaid commiſſioners, or any five or more of them, to order the ſame to be appraiſed and ſold, and the money ariſing therefrom ſhall be applied to the purpoſes of this act.

2d offence 20s.

XXII. And be it further enacted by the authority aforeſaid, that if any ſuch nuiſance, obſtruction, or annoyance ſhall be afterwards replaced, and be continued for the ſpace of one day after notice to remove the ſame, the perſon or perſons convicted of ſuch ſecond offence ſhall forfeit and pay the ſum of twenty ſhillings, and the ſum of forty ſhillings for every repeated offence.

40s. after.

Surveyor's licence to incloſe firſt had, fee 1s.

XXIII. And be it further enacted by the authority aforeſaid, that no perſon or perſons whatſoever ſhall erect or build, or cauſe to be erected or built, any ſuch paling, or erect any poſts, bars, rails, boards, or other thing by way of incloſure for the purpoſe of making mortar, and depoſiting bricks, ſtone, lime, ſand, or any other materials for building or repairing any houſe, ſhop, warehouſe, coach houſe, ſtable, or tenement, or other works, or for any other purpoſe, without leave or licence firſt had and obtained under the hand or hands of the ſurveyor or ſurveyors for the time being of the diviſion, wherein ſuch paling or incloſure is wanted, who is and are hereby required to grant the ſame forthwith on every perſon ſo applying for ſuch licence, paying to the ſaid ſurveyor or ſurveyors the ſum of one ſhilling; and no perſon whatſoever ſhall erect or build any ſuch paling or encloſure as aforeſaid in any other manner, or ſuffer the ſame to remain for any longer time, than ſhall be expreſſed and allowed in ſuch licence from the ſaid ſurveyor or ſurveyors, to be ſigned as aforeſaid, upon pain of forfeiting a ſum not exceeding twenty ſhillings for every twelve hours that the ſame, or any part thereof, ſhall be continued contrary to the directions of this act; and if any ſuch kind of encloſure ſhall be erected or built without the leave of the ſaid ſurveyor or ſurveyors ſo had and obtained and ſigned as aforeſaid, or ſhall be ſet up in any other manner, or continued for any longer time, than ſhall be allowed and expreſſed in ſuch licence, then and in either of ſaid caſes it ſhall and may be lawful for ſuch commiſſioners, or any five or more of them, to cauſe the ſame to be pulled down and removed, and the materials thereof ſhall be depoſited in the ſtore yard or place for keeping materials for the works of the diviſions,

Penalty 20s. every 12 hours continued,

if erected without or contrary to licence, or continued longer, pulled down, removed to ſtore yard,

divisions, wherein such enclosure shall be pulled down and removed, there to be kept and detained until the owner or owners, or his, her, or their known servant or servants, shall and do pay to the person or persons, in whose custody the same shall be, the said penalty, together with the charges of removing the same; and in case the same shall not be claimed, and the said penalty and charges paid, within the space of five days next after such seizure thereof, then it shall and may be lawful to and for the said commissioners, or any five or more of them, to order the same to be appraised and sold, and the money arising therefrom shall be applied to the purposes of this act.

if not claimed, and payment with charges in 5 days sold.

XXIV. And be it further enacted by the authority aforesaid, that if any person or persons shall sift, screen, or slack any lime (except within such enclosure as aforesaid) in any street, lane, quay, square, court, yard, alley, passage, or place comprehended within and under the jurisdiction of this and the said recited act, or cause the same to be so done, he or they shall forfeit and pay for every such offence the sum of forty shillings.

Lime sifted, screened, or slacked, save in such inclosure, 40s.

XXV. And be it enacted by the authority aforesaid, that if any person or persons shall empty any bog-house or bog-houses, or take away any night soil from any house or houses within any of the said five divisions, or the said two divisions hereby added, before the hour of eleven o'clock in the night, or shall continue to take away such soil after the hour of five in the morning, or if any person or persons shall put or cast any such soil, or wilfully or negligently permit the same to turn out of any car, cart, tub, pail, or otherwise into any of the streets, lanes, quays, bridges, squares, courts, alleys, or places in the said divisions, then and in every such case it shall and may be lawful to and for any constable, beadle, or watchman (and they, and each and every of them, is hereby required and injoined so to do) and to and for every or any other person or persons whomsoever, to apprehend the person or persons so offending, and to carry him, her, or them to the watch-house in the parish, wherein such offender shall be so taken up (the constable or keeper whereof respectively are hereby required to take such offender or offenders into custody) and thereafter, as soon as conveniently may be, to convey him, her, or them before one or more of the justices of the peace for the said city, who upon such offence or offences respectively being proved before him upon oath or oaths of the person or persons apprehending or others (which oath such justice or justices is and are hereby required and empowered to administer)

Night soil not taken away before 11 at night or after 5 in the morning,

nor cast into streets, &c.

any one may take offender to the watch house,

conveyed before a magistrate,

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shall and may commit such offender or offenders to the bridewell of the said city for any time not exceeding one month, nor less than two days, there to be kept to hard labour; and the said commissioners, or any nine or more of them, are hereby authorized to order any sum not exceeding twenty shillings, nor less than five shillings, to be paid out of the said rates, to be raised by virtue of this and the said former act, to the person or persons by whom the said offender or offenders shall be so detected, apprehended, and conveyed to such watch-house as aforesaid, as a reward for his or their trouble.

to bridewell not above 1 month, nor under 2 days,

9 commissioners to order reward not above 20s. nor under 5s.

XXVI. And whereas it may be reasonable to exempt and excuse some persons from payment of the rates and assessments, in this and the said recited act mentioned, on account of their poverty and disability to pay the same: be it enacted by the authority aforesaid, that it shall and may be lawful for the said commissioners, or any nine or more of them, and they are hereby authorized and empowered to grant to the owner or occupier of houses of the value of five pounds only, or under, by the year, such relief in the payment of any rate or assessment assessed or to be assessed by virtue of this or said recited act, as they the said commissioners, or any nine or more of them, shall think proper.

May relieve owners of houses 5l. value or under.

XXVII. And be it enacted by the authority aforesaid, that the governors and guardians of the hospital for the reception of Lying-in women shall be charged and pay the yearly sum of twenty pounds, and no more, for the pavement in and about the said hospital.

Lying-in hospital charged only 20l. a year.

XXVIII. And whereas it is highly conducive to the health and welfare of the citizens of Dublin, that the pleasure grounds, belonging to the hospital for the reception of lying-in women, should remain and continue to and for their use and recreation, as they have heretofore been: be it enacted by the authority aforesaid, that it shall not be lawful for the governors or guardians of said hospital, or their successors, to lease out the whole or any part or parcel of said pleasure grounds for the purposes of building thereon.

No part of the pleasure grounds leased for building,

XXIX. And be it enacted by the authority aforesaid, that the provost, fellows, and scholars of Trinity college near Dublin shall for the pavement in and about the said college pay the annual sum of seventy pounds, and no more; and that the lord mayor, sheriffs, commons, and citizens of the city of Dublin shall for the pavement at or around saint Stephen's Green in the said city pay the annual sum of fifty pounds sterling, and no more;

Trinity College 70l. a year,

Stephen's Green 50l.

any thing in this or the ſaid recited act contained to the contrary notwithſtanding.

The corner houſes removed in 12 months and angles rounded.

XXX. Provided always, that the ſaid lord mayor, ſheriffs, commons, and citizens of the ſaid city of Dublin do within twelve months after the paſſing of this act take down and remove the houſes at the corners of the ſaid green, and round off the four angles of the ſaid green from ſix to ten feet.

7 commiſſioners may let or ſell, ſurplus of ground purchaſed, together or in parcels.

XXXI. And whereas by reaſon of the purchaſes, which the ſaid commiſſioners are empowered to make by virtue of the aforeſaid recited act, they may happen to be poſſeſſed of ſome piece or pieces of ground, over and and above what may be made uſe of for the widening, enlarging, and improving the ſtreet, way, or paſſage, for which they purchaſed the ſame: be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid commiſſioners, or any ſeven or more of them, to let, ſell, or diſpoſe of any ſuch piece or pieces of ground, either together or in parcels, in ſuch manner as they ſhall find moſt advantageous and convenient, to ſuch perſon or perſons as ſhall be willing to contract, agree for, or purchaſe the ſame, giving preference to the perſon or perſons of whom the ſame ſhall have been purchaſed; and to apply the money ariſing from the ſame to the purpoſes of ſaid recited act; and it ſhall and may be lawful to and for the ſaid commiſſioners, or any ſeven or more of them, to deſign, aſſign, and lay out, in what manner any new houſes or edifices ſhall be erected or built upon any ſuch piece or pieces of ground, which they ſhall be poſſeſſed of as aforeſaid, over and above what may be neceſſary for widening, enlarging, and improving the ſtreet, way, or paſſage, for which they purchaſed the ſame.

a preference to vendors.

for purpoſes of ſaid act,

and direct new edifices,

9 may remove market nuiſances.

XXXII. And whereas the laws now in being have not been found ſufficient to prevent the ſeveral nuiſances juſtly complained of in the different markets in this city, and the liberties thereof: be it therefore enacted by the authority aforeſaid, that from and after the firſt day of March one thouſand ſeven hundred and ſeventy ſix the ſaid commiſſioners, or any nine or more of them, ſhall and are hereby empowered to remove and abate all obſtructions and nuiſances whatſoever in the ſeveral markets of the ſaid city and liberties thereof; and that it ſhall and may be lawful to and for the ſaid commiſſioners, or any nine or more of them, to oblige the owner or owners, tenant or tenants in poſſeſſion, of any of the ſtalls in the ſaid markets to affix his, her, or their name or names, and number, in legible characters, on the front of their reſpective ſtall or ſtalls; and in caſe ſuch owner or owners, tenant or tenants, ſhall refuſe or neglect to remove any nuiſance

and oblige poſſeſſors of ſtalls to fix their names and number in front,

or

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or obſtruction, by him, her, or them reſpectively occaſioned or made, after two days notice for that purpoſe given to them perſonally, or left at ſuch ſtalls, or to affix his, her, or their name or names and number as aforeſaid, that then and in every and either of ſuch caſes it ſhall and may be lawful to and for any nine or more of the ſaid commiſſioners, or any perſon by them appointed for that purpoſe in the manner in the ſaid recited act directed, to levy the following fines or forfeitures for ſuch offences (that is to ſay) for the firſt offence the ſum of five ſhillings, for the ſecond offence the ſum of ten ſhillings, and for third offence the ſum of twenty ſhillings; and the ſaid fine of twenty ſhillings for every time after ſuch perſon or perſons ſhall ſo offend.

in either caſe on refuſal after 2 days notice levy 1ſt offence 5s.

2d. 10s.

3d. 20s.

and 20s after.

XXXIII. And be it enacted by the authority aforeſaid, that when it ſhall ſo happen, that the owner or owners, or proprietor or proprietors, of any dead walls or void ſpaces of ground ſhall not be known or cannot be found, ſo as that the rates and aſſeſſments, which the commiſſioners by virtue of the ſaid act ſhall rate and aſſeſs, may be recovered and received, that then and in every ſuch caſe the ground, incloſed in ſuch dead wall or ſuch void ſpace of ground, ſhall remain and be a ſecurity to ſaid commiſſioners for all arrears of ſuch rates and aſſeſſments; and the ſaid commiſſioners or any nine or more of them may, if they think proper, ſue in the name or names of their treaſurer or treaſurers the owner, proprietor, or occupier of ſuch dead walls, or void ſpaces, for all or any of the rates, which ſhall be by them made by virtue of the ſaid recited act, and all arrears due thereupon and unpaid; in which action no eſſoign, protection, or wager of law, or more than one imparlance ſhall be allowed.

Ground incloſed in dead wall, void ſpaces, a ſecurity for arrears of rate, when owner not found,

owner or occupier ſued in treaſurer's name.

XXXIV. And whereas doubts have ariſen in reſpect to the rates, and aſſeſſments, directed to be laid upon dead walls and void ſpaces of ground in the ſeveral ſtreets, lanes, and other places in this and the ſaid recited act mentioned: be it enacted by the authority aforeſaid, that all ſuch dead walls and void ſpaces of ground ſhall be reſpectively rated by the ſaid commiſſioners, or any five or more of them, at one ſhilling in the pound of the annual value, which the ſaid commiſſioners, or any five or more of them, ſhall judge, ſuch grounds, fronting to and bordering upon any of the ſaid ſtreets and other places in this and ſaid recited act mentioned, would be let for by the foot to a ſolvent tenant, and no more; any thing in this or the ſaid recited act to the contrary notwithſtanding.

Rated by 5 at 1s. *per* l. of annual value *per* foot by ſolvent tenant.

XXXV. And whereas the reſpective inhabitants of the barony of ſaint Sepulchre's in the liberty of ſaint Sepulchre's and

Baronies of *St. Sepulchre's* & *Dunmore* included,

county

county of Dublin, and of the barony of Donore in the said county of Dublin, are desirous of being included in this present act under the following regulations: be it enacted by the authority aforesaid, that the said baronies of saint Sepulchres and Donore may be included in this act, and be constituted and made two separate divisions, and be called the sixth division or division of saint Sepulchres, and the seventh division or division of Donore, and be subject to all the same taxes, assessments, rules, orders, and regulations, for the paving the highways, streets, lanes, quays, bridges, squares, courts, and alleys within said baronies, as the other five divisions comprized within an act passed in the last session of this parliament, entitled, *An act for paving the streets, lanes, quays, bridges, squares, courts, and alleys within the city and county of the city of Dublin, and other purposes relative to the said city of Dublin, and other places therein particularly mentioned*, are subject to, except in the two following particulars.

made 2 separate divisions, subject as others by 13 & 14 *G.* 3. c. 22, save in 2 particulars, *repealed as to every clause extending to Donore by* 19 & 20 *G.* 3. c. 44. *s.* 17.

XXXVI. Whereas by said last mentioned act a tax, not exceeding one shilling in the pound in any one year, may be laid or assessed by the commissioners in said act named, or any nine or more of them, on all lands, houses, shops, warehouses, cellars, vaults, or tenements within the said city of Dublin, liberties, and other places comprized in said act, as the same shall have been ascertained and rated towards the maintenance of the watch in such parish and place respectively for each preceding year, and to be paid annually by such person and persons, and in such proportion, manner, and form, as the rates towards the support of the watch are now paid: and whereas there is not any regular tax for maintenance of the watch in the said baronies of saint Sepulchre's, and Donore: be it enacted by the authority aforesaid, that from and after the passing of this act into a law one or more rate or rates, assessment or assessments, shall twice in every year, or oftener if it shall be thought needful by the commissioners herein and by the said former act appointed, or any nine or more of them, be laid and assessed by the said commissioners, or any nine or more of them, for and upon all and every the lands, houses, shops, warehouses, cellars, vaults, or tenements within the said baronies of saint Sepulchres and Donore, in such sum and sums of money as the said commissioners, or any nine or more of them, shall yearly and every year order and direct, so as such rates or assessments do not exceed in the whole the sum of one shilling in the pound in any one year of the yearly rent of such lands, houses, shops, warehouses, cellars, vaults, or other tenements, as the same shall have been ascertained and rated for

As no regular watch tax in said baronies, assessed at 1*s.* per l. of yearly rent as rated for minister's money,

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ministers money in such baronies and places respectively for each preceding year; which rate or rates, assessment or assessments, shall be paid annually by such person and persons, and in such proportion, manner, and form, as the rates for ministers money are now paid.

paid annually.

As there are extra-parochial places in said baronies, the respective vestries shall nominate 4 valuators for each,

XXXVII. And whereas there are some places extra-parochial in said baronies of saint Sepulchre's and Donore, that do not pay any ministers money: be it enacted by the authority aforesaid, that it shall and may be lawful to and for the protestant inhabitants of the said barony of saint Sepulchres, assembled in vestry at the church of saint Kevan, and to and for the protestant inhabitants of the barony of Donore assembled in vestry at the parish church of saint Luke, on the first Thursday in February next to nominate and appoint four persons for each barony respectively to value all the lands, houses, shops, warehouses, cellars, vaults, or other tenements, in all the extra-parochial places in said baronies respectively, and make returns of such valuations respectively to the first board of commissioners, that shall sit after the first day of April next, or in default of such returns, or either of them, the first board of commissioners that shall sit after the said first day of April next, and shall consist of nine or more commissioners, are hereby authorized and required to nominate four persons for each or either of said baronies so neglecting to make a return or returns, as herein before directed, who shall value all the houses, shops, warehouses, cellars, vaults, and other tenements in the places extra-parochial in said baronies of saint Sepulchres and Donore, respectively; and return their respective valuations to the said commissioners within one month after their having received directions to make such valuation; and the tax laid on in the other parts of said baronies according to the ministers money shall in all the places extra-parochial in said baronies be laid on and paid according to one or other of the valuations aforesaid, as one or the other of them shall happen to be made.

returned to the 1st board,

on default the 1st board to nominate 4, to make return in a month,

the tax in other parts by minister's money laid on by such valuations in extra-parochial.

Divisional committees for said baronies,

XXXVIII. And whereas the said baronies of saint Sepulchres and Donore are in the county of Dublin: be it enacted by the authority aforesaid, that the divisional committees for said baronies or sixth and seventh divisions may consist each of the following parcels, and be constituted in manner following; the seneschals and registers of the liberties of saint Sepulchres and Thomas Court and Donore, for the time being, to be always two respectively of said committees; the three first persons that shall be sworn on the respective grand juries at the next Easter courts leet to be held respectively in said liberties, likewise to be of said committees

seneschals and registers

& 3 first grand jury men successively,

reſpectively, and to continue members of ſaid committees till another grand jury in each of ſaid liberties reſpectively ſhall be ſworn at the next ſucceeding Eaſter court leet, that ſhall be held in each of ſaid liberties reſpectively, when the three firſt perſons ſworn on the grand jury at ſuch next ſucceeding Eaſter court leet ſhall ſucceed immediately as committee-men to the three firſt perſons of the laſt grand jury of the laſt preceding Eaſter court leet in each of ſaid liberties reſpectively, and from time to time ſucceſſively during the continuance of this act; and in caſe of the death, diſability, or reſignation of any of ſaid grand jury-men be it enacted by the authority aforeſaid, that the proteſtant inhabitants reſpectively to be aſſembled in veſtry in each barony on notice given in church for that purpoſe ſhall elect from time to time one, two, or three perſons, as the caſe may happen, in each barony to ſupply the place or places of any ſuch grand jury man or grand jury men ſo dying, being diſabled, or reſigning, in each barony reſpectively; which ſaid perſon or perſons ſo reſpectively elected ſhall continue committee-man or committee-men, as long as the perſon or perſons ſo dying, being diſabled, or reſigning, would have continued committee-man or committee-men.

vacancies ſupplied in veſtry on notice.

XXXIX. And be it likewiſe enacted by the authority aforeſaid, that the ſaid ſeneſchals and regiſters for the time being, and the ſaid three other perſons to be appointed reſpectively members of the ſaid diviſional committees for the baronies of ſaint Sepulchres and Donore reſpectively as aforeſaid, may likewiſe, during their continuance as committee-men as aforeſaid, be commiſſioners for carrying into execution the powers by this act, when paſſed into a law, and the ſaid former act veſted in the commiſſioners herein and therein appointed.

Said committee-men commiſſioners for executing this and ſaid act.

XL. And be it enacted by the authority aforeſaid, that on the firſt Thurſday in February next, and on every firſt Thurſday in every ſucceeding February annually, the proteſtant pariſhioners of the ſeveral pariſhes, or parts of pariſhes, comprized within ſaid barony of ſaint Sepulchres ſhall meet in the veſtry room of the church of ſaint Kevan, or ſome other uſual place for tranſacting the publick buſineſs of that part of the pariſh of ſaint Peter, that is in the barony of ſaint ſepulchre's aforeſaid, the uſual notice being firſt given by the miniſter or curate of ſaid church of ſaint Kevan, and ſhall elect by ballot ten perſons, four of whom ſhall at the time of ſuch election be reſident in that part of the ward of ſaint Kevan within the line, as is comprized in ſaid barony of ſaint Sepulchres; and four of whom ſhall be reſident at the time of ſuch election in that part of the ward

Committees conſtituted for each barony in veſtry, ſworn and with like powers as other diviſional committees.

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ward of New ſtreet that is comprized in ſaid barony; and two of whom ſhall be reſident at the time of ſuch election in the Poddle ward in ſaid barony; which ſaid ten perſons ſo elected, together with the ſeneſchal and regiſter of the ſaid liberty of ſaint Sepulchres, and the three grand jury men, or perſons to be elected as aforeſaid in their room, ſhall conſtitute a committee for the better carrying the purpoſes of this act and the ſaid former act into execution within the ſixth diviſion or diviſion of ſaint Sepulchres, and ſhall be armed with all the ſame powers, and be ſworn, and be in every reſpect whatſoever exactly on the ſame footing as any of the diviſional committees appointed by the ſaid former act, or acting under the powers therein or herein given; and the proteſtant pariſhioners of the ſeveral pariſhes or parts of pariſhes, comprized within the ſaid barony of Donore, ſhall meet in the veſtry room of the church of ſaint Luke, or ſome uſual place for tranſacting the publick buſineſs of the ſaid pariſh of ſaint Luke, the uſual notice being firſt given by the miniſter or curate of ſaid church; and ſhall elect by ballot eight perſons, ſix of whom ſhall be reſident at the time of ſuch election in the pariſh of ſaint Luke in ſaid barony; and two of whom ſhall be reſident at the time of ſuch election in that part of the pariſh of ſaint Catherine, which is comprehended within the ſaid barony of Donore; which eight perſons ſo elected, together with the ſeneſchal and regiſter of the liberties of Thomas court and Donore, and the three grand jury men, or perſons elected as aforeſaid in their room, ſhall conſtitute a committee for the better carrying the purpoſes of this act and the ſaid former act into execution within the ſaid ſeventh diviſion or diviſion of Donore; and ſhall be armed with all the ſame powers, and be ſworn, and be in every reſpect whatſoever exactly on the ſame footing as any of the diviſional committees appointed by the ſaid former act, or acting under the powers therein or herein given; and the five perſons, who out of the perſons appointed committee-men as aforeſaid for the barony of ſaint Sepulchres are to be commiſſioners as aforeſaid for ſaid barony, and the five perſons who out of the perſons appointed committee-men as aforeſaid for the barony of Donore are to be commiſſioners as aforeſaid for ſaid barony of Donore, ſhall likewiſe be armed with all the ſame powers, and be in every reſpect on the ſame footing, as the commiſſioners by the ſaid former act conſtituted and appointed.

Pavement to ſtables or out offices repaired in 6 days after notice,

XLI. And be it enacted by the authority aforeſaid, that as to all pavements adjoining or belonging to all ſtables, coach houſes, or other out offices within the limits of this act, in caſe of defect or want of reparation therein, the owner or occupier of every ſuch ſtables, coach houſes, warehouſes, or other out offices, ſhall within ſix days after notice given, or left in writing for that purpoſe at the dwelling-houſe, or laſt place of abode of ſuch owner or occupier, by or by the order of two of the committee acting under this act, or the ſaid former act, well and

and sufficiently, and in such manner as shall by the said commissioners be directed, repair and amend all such defects and wants of reparation; and in default of so doing by such owner or occupier then the said commissioners, or any five or more of them, may cause the same to be amended and repaired; and in case the costs and expences thereof shall not be paid to or to the order of the said commissioners, or any three of them, within six days after demand thereof from such owner or occupier the said commissioners, or any three of them, may cause the same to be levied by distress and sale of the goods and chattles of such occupier or owner by warrant under the hands and seals of two justices of peace of the city or county of the city of Dublin; which warrant the said justices are hereby authorized and required upon the complaint of the said commissioners, or any three of them, to issue accordingly.

on default, by order of 5 commissioners,

expence, not paid in 6 days, levied on warrant by 2 justices.

XLII. Provided always and be it enacted by the authority aforesaid, that nothing in this act contained shall extend, or be construed to extend, to take away from or to deprive any person or persons of any right of action, or any right to recover damages sustained by such person or persons by any act pretended to be done under the said former recited act, for which any action hath actually been commenced and proceeded upon.

Right to action or damages proceeded on under said act not taken away.

XLIII. And whereas by the said former act of the thirteenth and fourteenth years of the reign of his present Majesty provision is made for establishing a market jury, consisting of twenty four respectable citizens of the said city, part of forty eight to be returned by the sheriffs of the said city: and whereas it may prove very inconvenient to the publick, if barristers at law, physicians, attornies at law, or surgeons, shall be liable to be put upon the said jury: be it therefore enacted by the authority aforesaid, that barristers at law, physicians, practising attornies at law, and surgeons, following their business as such, shall be exempt from serving upon the said market jury, and shall not be liable to be returned by the sheriffs of the said city for that purpose.

Barristers, physicians, attorneys, surgeons, exempted from market jury in 13 and 14 *G.* 3. c. 22. s. 73.

XLIV. And whereas it may be very dangerous and inconvenient to many of his Majesty's subjects, that sedan chairmen carrying fares should not be permitted to pass upon the broad or flagged foot paths on the sides of the streets of the said city: be it therefore declared and enacted by the authority aforesaid,

Sedans with fares may pass footpaths.

A. D. 1775-6.

that ſedan chairs, and the chairmen carrying the ſame with fares, may lawfully paſs and repaſs upon ſuch foot paths without interruption, or being liable to any penalty or forfeiture for ſo doing.

Commiſſioners added, with like powers,

XLV. And be it enacted by the authority aforeſaid, that the following perſons be added to the commiſſioners named in the ſaid recited act, and have the like powers they are inveſted with, *viz.* the honourable Richard Anneſley, Hercules Langford Rowley, William Brabazon Ponſonby, James Ormſbie, Dixie Coddington, Robert Lindſay, Clotworthy Rowley, Nicholas Tench, Joſhua Cooper, William Gore, and Richard Underwood, eſquires; James Dennis, John Scott, James Shiel, Attiwell Wood, and Joſeph Hoare, eſquires, counſellors at law; Cornelius Grogan eſquire, William Burton eſquire, Charles Domville eſquire, and the ſeneſchal and deputy ſeneſchal for the liberty of ſaint Patrick Dublin for the time being; and that this act ſhall be deemed a publick act, and ſhall be judicially taken notice of as ſuch by all judges and juſtices, and other perſons, without ſpecially pleading the ſame.

a publick act.

CHAP. XXI.

An act to prevent and puniſh tumultuous riſings of perſons within this kingdom, and for other purpoſes therein mentioned.

Riotous aſſembling of White Boys

WHEREAS it has frequently happened of late years in different parts of this kingdom, that ſeveral perſons calling themſelves White Boys and others as well by night as in the day time have in a riotous, diſorderly, and tumultuous manner aſſembled together, and have abuſed and injured the perſons, habitations, and properties of many of his Majeſty's loyal and faithful ſubjects, and have taken and carried away their horſes and arms, and have compelled them to ſurrender up, quit, and leave their habitations, farms, and places of abode, and have with threats and violence impoſed ſundry oaths and ſolemn declarations contrary to law, and ſolicited ſeveral of his Majeſty's ſubjects by threats and promiſes to join with them in ſuch their miſchievous and iniquitous proceedings, and have alſo ſent threatening and incendiary letters to ſeveral perſons to the great terror of his Majeſty's peaceable ſubjects, and have taken upon themſelves to obſtruct the exportation of corn, grain, meal, malt, and flour, and

injuring perſons and property, taking horſes and arms, compelling to quit abode, impoſing oaths and declarations, threats and incendiary letters, obſtructing export, deſtroying corn, &c.

and to destroy or damage the same when intended for exportation, and have also destroyed mills, granaries, and storehouses provided for the keeping of corn; which, if not effectually prevented, must become dangerous to the general peace of this kingdom and his Majesty's government therein: and whereas for putting a stop to and punishing such enormous outrages and offences an act passed in this kingdom in the fifth and sixth years of the reign of his present Majesty, entitled, *An act to prevent for the future tumultuous risings of persons within this kingdom, and for other purposes therein mentioned*; which act hath been from time to time continued and is now in force, but hath been found insufficient for the purposes thereby intended, and for preventing and punishing such wicked and unlawful practices: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that no person or persons shall be indicted, or suffer any pains or penalties, under the said recited act passed in the fifth and sixth years of his present Majesty's reign, for any offence which shall be committed by him, her, or them from and after the first day of March one thousand seven hundred and seventy six; but that nothing herein contained shall be construed to take away any of the force or effect of said statute, so far as it relates to offences, which have been committed or which shall be committed on or before the said day.

dangerous to publick peace,

5 G. 3. c. 8. insufficient,

no indictment thereon for offence since 1st March 1776,

in force as to former offences.

II. And be it further enacted by the authority aforesaid, that if any person or persons from and after the first day of March one thousand seven hundred and seventy six, being armed with any fire arms, firelock, pistol, or any offensive weapon or weapons whatsoever, or having his, her, or their face or faces, body, or bodies, disguised in any manner whatsoever, or wearing any particular badge, dress, or uniform not usually worn by him, her, or them upon his, her, or their lawful occasions, or assuming any particular name or denomination not usually assumed by his Majesty's subjects upon their lawful occasions, shall rise, assemble, or appear by day or by night to the terror of his Majesty's subjects; every person so offending, being thereof lawfully convicted upon indictment, shall be adjudged guilty of an high misdemeanor; and the court, before whom such person or persons shall be tried, shall have power and authority to punish such offender or offenders by fine and imprisonment, and to award pillory, whipping, or other corporal punishment, with security for the

Persons armed with any offensive weapon, or disguised, or in unusual badge or dress, or denomination, assembling by day or night, a misdemeanor.

fine, imprisonment, corporal punishment, and security.

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the future good behaviour of the perſon or perſons ſo convicted, as in the diſcretion of the court ſhall ſeem meet.

If aſſembling, wilfully ſhoot at, maim, or diſfigure,

III. And be it enacted by the authority aforeſaid, that from and after the firſt day of March one thouſand ſeven hundred and ſeventy ſix if any perſon or perſons riſing or aſſembling in manner herein before mentioned, or in any other manner whatſoever ſave as herein after is declared, ſhall either by day or by night wilfully or maliciouſly ſhoot at, maim, or diſfigure any perſon or perſons in any dwelling houſe or other place, or ſhall knowingly ſend any letter with or without any fictitious name or names thereto ſubſcribed, demanding any money, fire arms, ammunition, or other thing or things, or threatening to injure the perſon or property of any of his Majeſty's ſubjects; or if any perſon or perſons ſhall by gift, promiſe, or threats procure any of his Majeſty's ſubjects to join in any of the aforeſaid offences, or ſhall unlawfully compel, or by force, threats, or menaces attempt to compel, any of his Majeſty's ſubjects to quit his, her, or their habitation, farm, poſſeſſion, place of abode, or lawful employment, all and every perſon and perſons ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of felony, and ſhall ſuffer death as in caſes of felony without benefit of clergy.

ſend extorting or threatening letters,

procure to join therein,

compel to quit abode or employment, or attempt it,

felony, death.

After ſunſet, or before 6 in forenoon, to aſſault or injure habitation or property, break into houſe, &c. open doors by menaces, forcibly take horſe, weapon, money, &c. or delivery by threats,

IV. And be it enacted by the authority aforeſaid, that from and after the firſt day of March one thouſand ſeven hundred and ſeventy ſix if any perſon or perſons ſhall at any time after ſun ſet and before ſun riſe, or before the hour of ſix in the forenoon though the ſun ſhould be ariſen, maliciouſly aſſault or in any manner whatſoever maliciouſly injure the habitation, property, goods, or chattles of any other perſon or perſons, or ſhall forceably and maliciouſly break into his, her, or their houſe, barn, or out houſe, or ſhall maliciouſly cauſe any door to be open by threats, menaces, or ſhall forceably take or carry away any horſe, gelding, mare, or mule, or any gun, ſword, or other offenſive weapon, or any money, or goods, or chattles, without the conſent of the owner, or ſhall cauſe the ſame, or any of the ſame, to be delivered to them by threats or menaces, all and every perſon or perſons ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of felony, and ſhall ſuffer death as in caſes of felony without the benefit of clergy.

felony, death.

Said offences between ſunriſe and ſet, fine, impriſonment and corporal puniſhment.

V. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall after the hour of ſix in the forenoon, the ſun being riſen, and before ſun ſet, commit any of the offences laſt herein before mentioned, he, ſhe, or they ſo offending,

offending, shall on conviction thereof be punished by fine and imprisonment, pillory, whipping, or such other corporal punishment as the court in their discretion shall think fit to impose. A. D. 1775-6. Chap. 21.

VI. And be it enacted by the authority aforesaid, that it shall and may be lawful for every justice of the peace, sheriff, under sheriff, mayor, bailiff, or other peace officer, within the limits of his or their respective jurisdictions, taking with them the necessary assistance, (and they are hereby impowered and authorized to command all his Majesty's subjects of age and ability to be assisting therein) to apprehend, disperse, resist, and oppose all persons concerned in any of the unlawful acts before mentioned in this act; and if any person or persons shall happen to be killed, maimed, or hurt, in the apprehending, dispersing, resisting, or opposing any such offenders, then every such justice of the peace, sheriff, or other peace officer, and all and singular persons being aiding and assisting to them or any of them, shall be freed, discharged, and indemnified as well against the king's Majesty, his heirs, and successors, as against all and every other person or persons, or for or concerning the killing, maiming, or hurting any such persons.

Magistrates and peace officers, commanding assistance of all of age and ability, may apprehend, disperse, and resist all concerned,

indemnified on killing or hurting.

VII. And be it further enacted by the authority aforesaid, that all and every person or persons, who shall from and after the first day of March one thousand seven hundred and seventy six assist, abet, or succour any person or persons to commit any of the offences aforesaid, or shall wilfully and knowingly conceal any person or persons, who have committed any of the offences aforesaid, (for which sentence of death as in cases of felony may be awarded) every person or persons so aiding, assisting, abetting, succouring, or concealing such person or persons, shall on being lawfully convicted thereof be adjudged guilty of felony, and suffer death as in cases of felony without benefit of clergy.

To assist, abet, succour, or knowingly conceal, felons,

felony, death,

VIII. And in order to prevent for the future the several outrages and offences herein before mentioned be it further enacted by the authority aforesaid, that satisfaction and amends may be made in manner herein after mentioned to all and every person and persons, his, her, or their executors or administrators, for all and every injury and damage which shall be done or committed against his, her, or their person or persons, habitations, possession, property, goods, or chattles, by any offender or offenders against this act; and that every person or persons, his, her, or their executors or administrators, who shall sustain any such injury, loss, or damage by any of the offences herein before mentioned,

Satisfaction for every such injury;

on petition next assizes, setting forth the injury,

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mentioned, may sue for and recover satisfaction and amends for the injury, loss, or damage, incurred or suffered as aforesaid, at the next assizes to be held for the county where such offence was committed, by exhibiting to the judge or judges of assize, his, her, or their petition, praying such satisfaction and amends for the injury, loss, or damage sustained as aforesaid, and therein setting forth particularly the injury and damage done to his, her, or their person, habitation, property, goods or chattles, and the particular value thereof, by what number of persons he, she, or they believe such injury or damage was done or committed, and of what religion he, she, or they believe such offender or offenders, or any of them, was or were, with the names and descriptions of such of said offenders, as he, she, or they shall know, and such particular descriptions of such others of them as he, she, or they can give; and the matter shall thereupon be examined by such judge or judges of assize in open court in the presence of the grand jury, impannelled and sworn at said assizes, on the oath of the party assaulted or injured as aforesaid, and such other evidence as can be produced touching the said offences, according to the nature thereof; and if on consideration of the matter such judge or judges of assize shall be of opinion, that the person or persons preferring such petition hath or have fully proved the several matters aforesaid, and the value of the injury or damage sustained as aforesaid, so as to intitle him, her, or them to satisfaction and amends, the said grand jury shall thereupon, and they are hereby required, pursuant to the direction of such judge or judges of assize as aforesaid, to present such sum or sums of money, as the person or persons so assaulted or injured in his, her, or their person, habitation, possession, property, goods, or chattles, ought in their opinion to have and receive for the loss, injury, or damage by him, her, or them sustained as aforesaid, to be raised either on the county, barony, town or towns, parish or parishes, in or near which such offence shall have been committed, and in such proportions as they shall think fit; which sum so presented as aforesaid shall be applotted, levied, and raised by such ways and means, and in such manner and form, as other publick money presented at the assizes shall be applotted, levied, and raised within such county pursuant to the laws now in force.

value, by what number and religion, names, and descriptions of offenders,

examined in court before grand jury, on party's oath and other evidence,

if proved, presented on the county, barony, towns, or parishes, in or near which offence committed, in proportion,

raised as other publick money, *extended to other injuries* 19 & 20 G. 3. c. 19. s. 6.

IX. Provided, that if any person or persons shall find himself, herself, or themselves aggrieved by any presentment to be made in pursuance of this act, such person or persons, in case the sum presented to be raised do exceed the sum of five pounds, shall or may

Traverse if presentment above 5l.

may at the said assizes traverse the same; which traverse shall be tried at the same or the next ensuing assizes, as the judge or judges, who shall allow the same, shall think fit; and if on such traverse the issue shall be found for the traverser, such presentment shall be discharged, otherwise the same shall be final and conclusive to all persons.

tried the same or next assizes, final.

X. Provided always, that every person or persons applying for such presentment shall by himself, herself, or themselves, or by some person or persons for and on his, her, or their behalf, shall within forty eight hours after such injury and damage done or committed as aforesaid, or within a reasonable time after he, she, or they shall be at liberty, give notice thereof unto some of the inhabitants of some town or village near unto the place, where such fact shall be committed, and shall within six days after such fact committed give notice to the high constable of the barony, and to the church wardens of the parish, where such fact shall be alledged to have been committed (if such high constable and church wardens shall respectively reside within such barony and parish) who are hereby required forthwith to publish the same in the several market towns of the barony and parish, where such fact shall be so alledged to have been committed; and that also within six days after such notice, so given as aforesaid, either the person or persons so injured shall give his, her, or their examination upon oath, or that examination upon oath shall be given by his, her, or their servant or servants, or family, who are in his, her, or their house, or who had the care of his, her, or their habitation, possession, property, goods, or chattles, before some justice of the peace of the county inhabiting within the barony where such fact shall be committed, or near unto the same, thereby specifying whether he, she, or they do know the person or persons, who committed such fact, or any of them; and if upon such examination it shall be confessed, that he, she, or they do know the person or persons, who committed the said fact, or any of them, that then he, she, or they shall be bound by recognizance to prosecute such offender or offenders by indictment or otherwise according to the laws of this kingdom.

Notice of damage in 48 hours, or reasonable time, to town or village near,

and in 6 days to high constable and church wardens, if resident,

published in market towns,

in 6 days after notice examination of the party servants, or family on oath before a justice in or near the barony, as to knowledge of offenders,

if known, recognizance to prosecute.

XI. Provided also, that every presentment, to be hereafter made by virtue of this act, shall be made at the next assizes after the fact committed, and shall be read in open court; and shall not be made at any other assizes, unless such fact shall be committed so near the time of holding such assizes, that due notice cannot be given before the first day of such assizes according to the direction of this act; in which case it shall and may be lawful

Presentment next assizes, read in court,

if too near, at ensuing assizes after due notice.

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ful for the perſon or perſons, who ſhall have ſuſtained ſuch injury or damage, to prefer his, her, or their petition, and to obtain ſuch preſentment, at the next enſuing aſſizes after ſuch due notice ſhall be given as aforeſaid.

Not removed by *certiorari*, nor delayed, ſave for trial of traverſe, nor quaſhed for informality.

XII. Provided alſo, that no ſuch preſentment ſhall at any time be removed by *certiorari*, or the proſecution thereupon otherwiſe delayed than by ſuch traverſe as aforeſaid, and that for ſuch time only as ſhall be neceſſary for the trial of ſuch traverſe; nor ſhall any ſuch preſentment be at any time quaſhed for any informality, imperfection, or defect in form whatſoever.

Crown clerk to deliver copies of preſentments and warrants, fee 6d.

XIII. And be it further enacted by the authority aforeſaid, that the clerk of the crown for the county, where ſuch preſentment ſhall be made, ſhall, on requeſt to him made, make and deliver to any perſon or perſons deſiring the ſame true copies ſigned by him of all ſuch preſentments, and of warrants for levying of any money grounded thereupon; for each of which there ſhall be paid to the ſaid clerk of the crown the ſum of ſix pence only, and no more; and ſuch clerk of the crown is hereby required to make and deliver the ſame accordingly.

Offences againſt 5 G. 3. c. 8. (unleſs indicted or in cuſtody, or for murder or arſon, maiming or diſfiguring) pardoned on ſurrender by 1ſt Aug. 1776, and recognizance with ſureties 7 years.

XIV. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, who hath or have been guilty before the firſt day of December one thouſand ſeven hundred and ſeventy five of any of the offences created by the aforeſaid act paſſed in the fifth and ſixth years of his preſent Majeſty's reign, (other than ſuch as are indicted, or in actual and lawful cuſtody for the ſame, and other than ſuch perſon or perſons who hath or have been guilty of murder, or been guilty of burning houſes, corn, or hay; or who hath or have been guilty of maiming or diſfiguring of any perſon) ſhall by virtue of this act be pardoned, acquitted, and diſcharged of the ſame; provided ſuch perſon or perſons ſhall on or before the firſt day of Auguſt one thouſand ſeven hundred and ſeventy ſix ſurrender him, her, or themſelves to any of the juſtices of his Majeſty's court of king's bench, or to any one or more of his Majeſty's juſtices of the peace in and for the county where he, ſhe, or they did commit ſuch offence or offences, and ſhall enter into a recognizance, with ſureties, to keep the peace and be of good behaviour for the term of ſeven years; which recognizance ſhall be returned by ſuch juſtice to the next aſſizes, and ſhall there remain among the records of the county.

Magiſtrates may by night or day ſearch and ſeize arms or ammunition of papiſts, or ſo reputed, not licenced, or in truſt for them,

XV. And whereas notwithſtanding the laws now in being for the better ſecuring the government by diſarming papiſts there is good reaſon to ſuſpect, that ſeveral perſons contrary to the true intent and meaning of ſaid laws have arms and ammunition in their cuſtody and power; by means whereof many of the miſchiefs herein before mentioned have happened: be it enacted by the authority aforeſaid, that from and after the firſt day of March one thouſand ſeven hundred and ſeventy ſix it ſhall and may be lawful for any one or more juſtice or juſtices of the peace, and for all mayors, ſheriffs, and chief magiſtrates of cities and towns corporate,

corporate, within their respective jurisdictions, from time to time, as well by night as by day, to search for, seize, and carry away, or cause to be searched for, seized, and carried away, all arms and ammunition whatsoever, belonging to or in the custody or possession of any papist or reputed papist, not duly licenced to keep and carry the same, or in the hands or possession of any person or persons in trust for them or any of them, and for that purpose to enter into any dwelling-house, outhouse, office, field, or other place belonging to such papist, or reputed papist, and into the dwelling-house, outhouse, office, field, or other place belonging to any other person whatsoever, where he or they shall have reasonable cause to suspect, any such arms or ammunition shall be concealed; and such arms and ammunition, so taken and seized shall by the person or persons so seizing and taking the same be preserved for the use of his Majesty, his heirs and successors, to be disposed of as he or they shall think fit; unless it shall appear, that the same were forceably taken and carried away from some of his Majesty's subjects in manner herein before mentioned; in which case such arms and ammunition shall be delivered to the person or persons, from whom the same were so forceably taken; and in case any such justice or justices of the peace, or other chief magistrate aforesaid, after such search made shall have cause to suspect, that any arms or ammunition remain concealed and not seized as aforesaid, he and they is and are hereby required to cause such person and persons, whom he or they shall suspect to have concealed the same, to be brought before him and them, and to be examined upon his, her, or their corporal oath concerning the same.

enter houses &c. on reasonable suspicion of concealment,

preserved for the King's use,

if taken by force as aforesaid, redelivered,

on suspicion of concealment shall summon and examine on oath.

XVI. Provided always, that no person shall be convicted or incur any penalty for any offence upon any confession or discovery, he or she shall make on being examined upon oath as aforesaid, nor shall any such examination be given in evidence against the person so examined, unless such person shall be indicted for having committed wilful perjury in such examination.

No penalty on such discovery,

nor examination evidence, unless perjury.

XVII. And be it further enacted by the authority aforesaid, that every such person or persons, who upon demand or search made for such arms or ammunition as aforesaid shall refuse to deliver up the same as aforesaid, and also to declare and manifest to the justice or justices of the peace, mayor, sheriffs, or other chief magistrates aforesaid, what arms and ammunition he, she, or they, or any other to his, her, or their knowledge, or with his, her, or their privity, have, or shall hinder or disturb the delivery thereof to the said justice or justices of the peace, or

Refusing to deliver or declare such arms, as they or any with their privity have,

or hindering,

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other chief magiſtrate as aforeſaid; and alſo every perſon and perſons, who ſhall refuſe to make diſcovery upon his, her, or their oath, to be adminiſtered by ſuch juſtice or juſtices of the peace or other chief magiſtrate aforeſaid, concerning the premiſes aforeſaid, or being ſummoned by writing under the hand of one or more juſtice or juſtices of the peace, whereof notice in writing to be given to him or her, or left at his or her uſual place of above, ſhall without reaſonable cauſe refuſe or neglect to appear before ſuch juſtice or juſtices of the peace, or other chief magiſtrate as aforeſaid, to be examined as aforeſaid, every ſuch perſon or perſons ſo offending ſhall, on being lawfully convicted thereof, be puniſhed by fine and impriſonment, or ſuch corporal puniſhment of pillory or whipping, as the court, before whom ſuch perſon or perſons ſhall be tried, ſhall in their diſcretion think proper.

or refuſing diſcovery, on oath, or, on ſummons, to appear without cauſe,

fine and impriſonment or corporal puniſhment.

XVIII. And be it further enacted by the authority aforeſaid, that in caſe any perſon or perſons, who ſhall apprehend, take, proſecute, or convict, or who ſhall uſe his, her, or their endeavours to apprehend, take, proſecute, or convict, any perſon or perſons guilty of any of the offences aforeſaid, ſhall happen to be maimed or wounded for or on account thereof, ſuch perſon or perſons, ſo maimed or wounded as aforeſaid, ſhall be entitled to ſuch reward, not exceeding the ſum of fifty pounds, as the grand jury of the county aforeſaid ſhall with the approbation of the judge or judges of aſſize direct and appoint; and in caſe any perſon or perſons ſhall happen to be killed in the apprehending and taking, or endeavouring to apprehend and take, any offender or offenders againſt this act, or in making purſuit after him, her, or them, that then the executors or adminiſtrators of the perſon or perſons, to whom the right of adminiſtration of the perſonal eſtate of ſuch perſon or perſons ſo killed ſhall belong, ſhall be entitled to and receive ſuch reward, not exceeding the ſum of one hundred pounds, as the grand jury of the county aforeſaid ſhall with the approbation of the judge or judges of aſſize direct and appoint; the ſaid laſt mentioned rewards to be alſo raiſed by the preſentment of the grand jury of ſuch county, where ſuch fact ſhall be committed, and to be applotted, levied, and raiſed in ſuch manner as other publick money preſented at the aſſizes ſhall be raiſed, applotted, and levied.

Reward, not above 50l. approved by the judge, to perſons maimed or wounded in proſecuting,

not above 100l. to executors or adminiſtrators of thoſe killed,

by preſentment as publick money.

XIX. And whereas the gaols in this kingdom have of late been frequently broke open, and the priſoners confined therein ſet at large: be it enacted by the authority aforeſaid, that from and after the paſſing of this act every perſon or perſons, who ſhall

Breaking goal to reſcue themſelves or others, tho' not capital offenders,

by

by force or violence break open any gaol or prison with an intention to rescue and enlarge him, her, or themselves, or any other prisoner or prisoners therein confined on account of any offence, though the same be not capital, all and every person or persons, who shall commit such offence, and shall be found guilty thereof, shall suffer death as in cases of felony without benefit of clergy, and shall and may be tried before the trial or attainder of the person or persons so enlarged, any law or statute to the contrary in any wise notwithstanding.

felony, death, tried before those enlarged, *amended* 17 & 18 *G.* 3, c. 36. *s.* 7, 8.

XX. And be it further enacted by the authority aforesaid, that every person, who shall rescue any person committed by a justice of the peace on a mittimus for treason, felony, or any of the offences herein before mentioned punishable with death, from a constable, or any person legally authorized for that purpose, before the person or persons so committed shall be lodged in gaol, shall, on being convicted and found guilty thereof, suffer death as in cases of felony without benefit of clergy.

Rescuing before imprisonment capital offenders committed, felony, death.

XXI. And be it further enacted by the authority aforesaid, that all and every person or persons, who shall by force, violence, or menace unlawfully impose or tender any oath or oaths on any book or in any other manner any solemn engagement on or to any person or persons, shall on conviction thereof be fined, imprisoned, pillored, or whipped, according to the discretion of the judge, before whom he or they shall be so convicted; and that it shall not be necessary in any indictment for said offence to set forth the said oath or oaths or solemn engagements particularly.

Imposing oath or solemn engagement, fine, imprisonment, pillory, or whipping, not set forth in indictment.

XXII. And be it further enacted by the authority aforesaid that all and every justice of the peace in this kingdom shall have full power and authority to summon any person or persons within his jurisdiction, whom he shall have cause to suspect to be capable of giving material evidence concerning any offence or offences committed against this act, and to examine him, her, or them relative thereto on his, her, or their oath or oaths, concerning any of the offences aforesaid, and, if he shall see cause, to bind such person or persons in recognizance to appear and prosecute at the next assizes; and in case such person or persons, who shall be summoned for that purpose, shall refuse to submit to such examination, or to enter into such recognizance, it shall and may be lawful to and for such justice of the peace to commit the person or persons so refusing to the publick gaol of the county, where he is a justice of the peace, until he, she, or they shall submit to such examination, or enter into such recognizance, or be discharged by due

Justices may on suspicion summon, evidence, examine on oath, and bind in recognizance to prosecute, and on refusal imprison,

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course of law; provided no such examination shall subject the party examined to any prosecution or penalty whatsoever, or be permitted to be given in evidence against the person so examined, unless such person shall be indicted for having committed wilful perjury in such examination.

not evidence against examinant, unless perjury.

XXIII. And be it further enacted by the authority aforesaid, that every person, who by sound of drum, horn, musick, fire, shouting, or other signal, shall knowingly excite, encourage, or promote such unlawful meetings as aforesaid, shall be adjudged guilty of an high misdemeanor; and that all accessaries before and after any of the offences aforesaid shall and may be tried and convicted, although the principal or principals be not taken or convicted.

Signals to encourage such meetings, misdemeanor,

all accessaries tried, tho' principals not taken.

XXIV. And to prevent any defect in the execution of this act be it further enacted by the authority aforesaid, that if any justice of the peace of the county, where any offence is committed, happens to be in another county, he, or any justice of the peace for such foreign county, may upon proper information issue his or their warrant to arrest any person offending against this act; and the person arrested shall be brought before such justice of the peace; who is hereby empowered upon due examination and probable cause appearing to him or them either to commit the offender to prison, or to admit him to bail, if the offence, with which he is charged, be a bailable offence, or to discharge him if no sufficient cause for his detainer shall appear; and that such justice of the peace shall return all examinations and recognizances, taken by or entered into before him, to the next assizes to be held for the county, in which such offence is alledged to have been committed; and such justice of the peace shall or may be examined on the trial of such offender in the proper county; and he shall and is hereby required to attend and give evidence on such trial, unless prevented by some sufficient reason, verified by the affidavit of the party, or some other credible person, and approved of as a reasonable excuse by the court.

A justice in foreign county may issue warrant, commit, bail, or discharge,

return examinations and recognizances next assizes where offence,

examined on trial,

attend and give evidence, unless cause by affidavit.

XXV. Provided always, and be it further enacted by the authority aforesaid, that nothing herein contained shall be construed in any sort to repeal or alter (save as herein before mentioned) any act of parliament or law now in force relating to the offences herein before mentioned; but that such acts and law or laws (save as aforesaid) shall remain in full force, as if this act had never been made.

Former laws as to said offences not repealed.

XXVI. Provided, that nothing herein contained shall extend, or be construed to extend, to the peaceable meetings of any num-

Peaceable meetings, or at fair or

ber of persons for their lawful occasions, or at any fair or market or reputed fair or market, or any customary assembly for innocent sports or recreation, not prohibited by or contrary to any law now in force.

market, or innocent sports, exempted.

XXVII. And be it further enacted by the authority aforesaid, that every clause herein contained shall be read publickly in open court on the second day of every assizes, and the first day of every quarter sessions of the peace, in every county of this kingdom.

Read in court 2d day every assizes, 1st of sessions.

XXVIII. And be it further enacted by the authority aforesaid, that any two or more justices of the peace, having reasonable cause to suspect any person or persons guilty of any such unlawful rising, assembling, or appearing as aforesaid, or of having been in any unlawful assembly to the terror of his Majesty's subjects as aforesaid, or of intending so to be, may summon, and they are hereby required to summon, before them the person or persons so suspected to be guilty, and bind him, her, or them over by his, her, or their own recognizance to appear at the next ensuing assizes, or general gaol delivery to be held for the county, in which he, she, or they shall reside, to answer such matters as he, she, or they shall then be charged with, and to be of good behaviour in the mean time; and in case of refusal to appear to enter into security as aforesaid, that then such justices of the peace shall have power by warrant under their hands and seals to commit every such person or persons to the common gaol of the county, there to remain until such person or person shall submit to appear and enter into such security as aforesaid, or until discharged by due course of law.

2 justices shall summon persons suspected guilty of such rising or assembling, or so intending,

and bind to appear and answer next assizes,

and to good behaviour,

and imprison on refusal.

XXIX. And whereas it is intended, that this law shall be in force no longer, than publick necessity shall require: be it further enacted by the authority aforesaid, that this act shall continue in force to the twenty fourth day of June one thousand seven hundred and seventy eight, and no longer.

In force no longer than publick necessity: continued to 24 June, 1778, *to* 24 *June* 1780, 17 & 18 *G.* 3. *c.* 36. *s.* 8. *with amendments, to* 24 *June* 1783, *&c. by* 19 & 20 *G.* 3. *c.* 14. *s.* 5.

A. D. 1775-6.

CHAP. XXII.

Amended 17 & 18 G. 3. c. 17.

An act for amending an act passed last session of parliament, entitled, *an act for the better regulation of the baking trade in the city of Dublin.*

15 & 14 G. 3. c. 47. l. 4. & 5.

WHEREAS by an act passed the last session of parliament, entitled, *An act for the better regulation of the baking trade in the city of Dublin*, it is among other things enacted, that if any person do or shall after the first day of August one thousand seven hundred and seventy four make, or bake for sale, or sell or expose to sale, within the city of Dublin, or liberties thereof, or within the liberties of Saint Sepulchres, Thomas Court and Donore, any loaf or loaves of wheaten or white bread, save of the respective avoirdupoise weights therein mentioned, the person so offending, and being thereof convicted, shall forfeit the penalties inflicted by an act made in the first year of the reign of King George the second, entitled, *An act for the regulating the price and assize of bread, and the markets*: and whereas numberless frauds and impositions have been practised on the publick notwithstanding the most vigilant attention of the magistrate: for remedy whereof be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fourth day of June one thousand seven hundred and seventy six no person or persons whatsoever shall make for sale, or sell or expose to sale, in the city of Dublin or liberties thereunto adjoining, any sort or sorts of bread other than white and household; and that the lord mayor of the city of Dublin, and the seneschals of the said several liberties shall from time to time ascertain within their respective jurisdictions the assize and weight of said white bread, according to the table annexed to said act of the first year of the reign of King George the second, for white bread, having respect to the middle price of wheat, and middle price of flour, and to make such allowance to the baker as they shall think fit, not less than the sum of eleven shillings for each quarter; and that said assize shall be published; and the bakers and sellers of bread, who shall act contrary to such assize, shall be punished in the same manner in said act mentioned, and be subject to the like penalties, to be recovered and applied in the same manner, as

1 G. 2. c. 16

frauds on publick,

No bread sold in *Dublin* or liberties, save white and household,

lord mayor and seneschals shall ascertain assize and weight of white bread by table 1 G. 2. c. 16. respecting middle price of wheat and flour,

baker's allowance not under 11s. per quarter,

assize published,

bakers acting contrary to such assize punished as in said act.

as are inflicted by the said act upon persons baking or selling of bread contrary to the said act; any thing contained in the said act of the last session to the contrary notwithstanding. A. D. 1775-6.

II. Provided always, that nothing herein contained shall be construed to prohibit the baking and selling of French rolls in such manner, as has been accustomed. French rolls as usual.

CHAP. XXIII.

An act for the relief of the out pensioners of the hospital of King Charles the second for antient and maimed officers and soldiers of the army of Ireland.

WHEREAS the out pensioners of the hospital of King Charles the second for antient and maimed officers and soldiers of the army of Ireland have of late suffered great impositions and distresses from the fraudulent practices of money lenders, from whom the said out pensioners frequently take up money on terms many times most usurious and oppressive: for the prevention of all which abuses and mischiefs be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that all assignments, bargains, sales, contracts, orders, letters or powers of attorney, irrevocable, or conveying interest, and agreements or securities whatsoever, made by any out pensioner, for, upon, or in respect of any sum or sums of money due, or to become due, for or on account of the pension of the said hospital, to such out pensioners as have been or shall be admitted thereunto, shall from and after the twenty fourth day of June in the year of our lord one thousand seven hundred and seventy six be absolutely null and void to all intents and purposes. To prevent fraud by money lenders, assignments, &c. agreements or securities by out pensioner for money due on pension, void.

CHAP. XXIV.

An act for the better regulating the pipe water of the city of Dublin.

WHEREAS the inhabitants of the city of Dublin have not of late been sufficiently supplied with water, which hath been occasioned by the great increase of the inhabitants of the said city, and insufficiency of the works formerly constructed to supply such a number: and whereas the lord mayor, sheriffs, commons,

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commons, and citizens of the city of Dublin have for many ages paſt been ſeized and poſſeſſed of a water-courſe from the river Dodeer, beginning at the wier at the foot of Ballrudery Hill, and paſſing through the lands of Temple Oge and other lands to the city of Dublin, and at a great expence have made a baſon or reſervoir for water and other works: and whereas the ſaid corporation of the city of Dublin, to promote as much as in it lay, a ſupply of water adequate to the conſumption of the inhabitants of the ſaid city of Dublin, entered into a contract with the company of undertakers of the grand canal for an ample ſupply of pure water at an expente of ten *per cent.* upon the groſs produce of the revenue that ſhould ariſe to the ſaid corporation of the city of Dublin from the ſale of the ſaid water, which contract has been confirmed by act of parliament: and whereas it would tend to the health, ſafety, and convenience of the inhatants of the ſaid city, if the owner or occupier of every houſe in the ſaid city ſhould be obliged to take a leaden branch from the water mains to ſupply ſuch houſe reſpectively: therefore to enable the ſaid lord mayor, ſheriffs, commons, and citizens of the city of Dublin more effectually to carry the ſaid laudable purpoſes into execution; and that the inhabitants of the ſaid city may have a regular, ſufficient, and conſtant ſupply of pure water, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty fifth day of March one thouſand ſeven hundred and ſeventy ſeven every owner or occupier of every houſe in the ſaid city of Dublin ſhall, and they are hereby required, under the direction of the proper officer or officers of the ſaid city to provide for the uſe of ſuch houſe or houſes one branch or leaden pipe of the uſual and accuſtomed dimenſions to convey the water from the ſeveral main pipes, that now are or hereafter may be laid in the ſeveral ſtreets, alleys, yards, courts, ſquares, lanes, or on the quays in the ſaid city, into ſuch houſe or houſes in the ſaid city.

Every houſe owner or occupier in *Dublin* ſhall provide a branch or leaden pipe as uſual from main pipe.

II. And the better to enable the ſaid lord mayor, ſheriffs, commons, and citizens of the city of Dublin to conſtruct new mains of larger dimenſions than heretofore uſed, and to extend the ſaid works, be it enacted by the authority aforeſaid, that from and after the twenty fifth day of March one thouſand ſeven hundred and ſeventy ſeven every owner or occupier of every houſe in the ſaid city of Dublin ſhall pay to the ſaid lord mayor, ſheriffs, commons, and citizens of the city of Dublin, or to the officers

And pay to the corporation the rates following, to enable them to conſtruct larger mains, and extend the works,

ficers or collectors by them appointed, the following sums only, and at the following rates for water; for every dwelling house paying fifteen shillings and upwards minister's money the annual rent or sum of twenty shillings; for every dwelling house paying from ten shillings to fifteen shillings minister's money the annual rent or sum of fifteen shillings; and for every dwelling house paying less than ten shillings minister's money the annual rent or sum of ten shillings.

every dwelling house, paying 15s. minister's money 20s. annually, from 10s. to 15s. 15s. under 10s. 10s.

III. Provided always, and be it enacted by the authority aforesaid, that where the minister's money is not ascertained, then such house or houses shall be chargeable with and pay at the rates before mentioned, according as rated by the work house books.

Where not ascertained, as rated by work-house.

IV. And whereas many houses are let out in lodgings or tenements to divers tenants: be it enacted by the authority aforesaid, that then and in such case the foregoing rent, payable at the rates herein before mentioned, shall be paid; and the said lord mayor, sheriffs, commons, and citizens are hereby impowered to levy the same from the owner or owners of such houses or tenements, or from the occupier or occupiers of any part or parts of such houses or tenements in such manner as other distresses and sales are by this act directed; and such occupier or occupiers of such tenements, being parts of houses, are hereby required and authorized to pay such sums, as are herein before mentioned, in pursuance of this act, and to deduct the same out of the rent of his or their holdings; and the owners or proprietors are required to allow such deductions and payments upon the receipts of the residue of the rents; and all such tenants, paying such annual rents for water as herein charged, shall be acquitted and discharged for so much, as said rent amounts to, as if the same were actually paid to such persons, to whom the rents of their holdings should have been due and payable.

Where divers tenants, levied from owner, or occupier of any part, as other distresses and sales, and allowed out of rent.

V. And be it enacted by the authority aforesaid, that every brewer, malster, distiller, sugar-baker, tanner, skinner, dyer, and every other person or persons who shall make use of the said water in their several occupations or manufactures, shall pay for the said water agreeably to the present mode according to their respective consumptions and agreements for that purpose between them and the said city: provided the said sum shall not exceed the sum of twenty pounds in any one year for each person.

Water, used in occupations or manufactures, paid for as by agreement with the city,

not exceeding 20l. a year each.

VI. And be it enacted by the authority aforesaid, that if any person neglect or refuse to pay the annual rents herein before mentioned for twenty one days after personal demand thereof, or demand in writing left at the place of abode or occupation of the

If not paid 21 days after demand, levied by distress on lord mayor's warrant with constables assistance,

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persons so directed to pay the said rents, it shall and may be lawful to and for the said lord mayor, sheriffs, commons, and citizens of the said city of Dublin, or their officers or receivers appointed to receive the said annual rents, by warrant under the hand and seal of the lord mayor of the said city for the time being (which warrant the said lord mayor is hereby authorized and required to grant) by and with the assistance of the high constable of the said city of Dublin; or of a constable of the parish or place, where such neglect or refusal shall happen (who is required to be aiding and assisting) to enter into the houses or lands within the said city, occupied by persons so chargeable with the said rents, and to distrain their goods and chattles; and if the said annual rent shall not be paid within twenty one days after such distress together with the costs of the said distresses, to be ascertained by any two or more justices of the peace for the county of the city of Dublin, then to sell so much and such part thereof as will be sufficient to pay the said rent, with all costs and charges attending such distress and sale, returning the overplus (if any) to the owners of such goods and chattles.

and sale after 21 days with costs by 2 justices.

Not trespassers on defect of form, or subsequent irregularity.

VII. And be it enacted by the authority aforesaid, that where any distress is made for any money to be levied by this act, the distress itself shall not be deemed unlawful, nor the parties making such distress be deemed trespassers on account of any default or want of form in any proceedings relating thereto, nor yet be deemed trespassers *ab initio* on account of any irregularity afterwards done by the party or parties distraining, but the person aggrieved by such irregularity may recover full satisfaction for the special damage in an action on the case.

but damages in *Case*.

Unless tender of amends before action,

VIII. And be it enacted by the authority aforesaid, that no plaintiff shall recover in any action for any such irregularity, trespass, or other proceedings, if tender of sufficient amends shall be made by or on behalf of the parties, who committed or cause to be committed any such irregularity, trespass, or wrongful proceedings, before such action brought; and in case no such tender shall have been made before action commenced, it shall be lawful for the defendants in any such actions by leave of the court before issue joined to pay into court such sum of money, as he or they shall think fit, whereupon such proceedings or order and judgment shall be had, made, and given in and by such court, as in other actions wherein the defendants are allowed to pay money into court.

defendants with leave before issue may pay into court.

order thereon as usual.

Corporation may regulate the works,

IX. And be it enacted by the authority aforesaid, that the lord mayor, sheriffs, commons, and citizens of the city of Dub-

lin may and are hereby impowered to make such regulations for the better improvement of the said works, and to lay down such mains upon such constructions, as to them may seem expedient, from the place called the city bason through the several streets, alleys, yards, courts, squares, and lanes on the quays of the said city of Dublin; and they are hereby appointed conservators of the said water and water-course from the said bason to and through the several places aforesaid with the same powers, restrictions, reservations, and penalties, and subject to the same appeal, as is directed and appointed by an act of parliament passed in this kindgdom in the fifth year of the reign of his late Majesty king George the first, entitled *An act for cleansing and repairing the water-course leading from the river Dodeer to the city of Dublin, and to prevent the diverting and corrupting the waters therein.*

lay down mains as expedient, conservators of the water, from the bason, like powers, penalties, and appeal, as by 6 *G.* 1. c. 16.

X. Provided always and be it enacted by the authority aforesaid, that in case any house in the said city shall at any time or times hereafter from the twenty fifth day of March one thousand seven hundred and seventy seven for the space of twenty one days successively want water through the negligence or inattention of the said lord mayor, sheriffs, commons, and citizens, or by the negligence, corruption, or inattention of any of the officers employed by them in the said works, in such case, and not otherwise, it shall and may be lawful for the owner or occupier of such house or houses to retain out of the annual rent, which they are directed to pay by this act, one fourth part of their said rent for the said year, in which such omission or default shall happen, as a compensation for such want or detention of water.

1-4th of rent retained on want of water 21 days successively thro' negligence or inattention, or corruption of officers.

XI. And be it further enacted by the authority aforesaid, that the said mayor, sheriffs, commons, and citizens of the city of Dublin, may, and they are hereby impowered to, borrow at interest upon the credit of the said rates and rents such sums, as they shall find necessary for the purposes of this act, and may demise or mortgage the said rents, or any part thereof, the costs of such mortgages to be paid out of such rent, as a security to any person who shall advance such sum or sums, by a writing under the common seal of the said corporation in the form or to the effect following:

Corporation may under common seal demise or mortgage said rents,

" By virtue of an act made in the fifteenth and sixteenth years " of the reign of his Majesty King George the third for regulat- " ing the pipe water of the city of Dublin, we, the lord mayor, " sheriffs, commons, and citizens of the city of Dublin, in con-

" sideration

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" ſideration of the ſum of to the treaſurer of " the ſaid lord mayor, ſheriffs, commons, and citizens of the " city of Dublin in hand paid, do grant, bargain, ſell, and " demiſe unto his executors, adminiſtrators, " and aſſigns, ſuch proportion of the whole rents ariſing by " virtue of the ſaid act, as the ſaid ſum of " doth or ſhall bear to the whole ſum of money advanced or to " be advanced on the credit thereof, to be had and holden from " this day of in the year of our " Lord for and during the continuance " of the ſaid act, unleſs the ſaid ſum of with " intereſt at the rate of *per centum per annum* " ſhall be ſooner repaid and ſatisfied."

copies entered.

And that copies of all ſuch mortgages or ſecurities ſhall be entered in the books or other records of the ſaid corporation of the city of Dublin.

Transferable by indorſement.

XII. And be it further enacted by the authority aforeſaid, that all perſons, to whom ſuch mortgage or ſecurity ſhall be made, and alſo all perſons to whom the ſame ſhall come by ſuch indorſement, as is herein after mentioned, may from time to time transfer their right, title, intereſt, or benefit to the ſaid mortgages or ſecurities, and the ſaid principal and intereſt thereby ſecured, to any other perſon or perſons by indorſing on the back of ſuch ſecurities the following words:

" I do transfer this mortgage or ſecurity with all my right " and title to the principal hereby ſecured, and to all the intereſt " now due upon the ſame, unto his " executors, adminiſtrators, and aſſigns. Dated this " day of

G. H.

So toties,

XIII. And be it further enacted by the authority aforeſaid, that ſuch transfers and aſſignments ſhall entitle ſuch aſſignees, their executors, adminiſtrators, and aſſigns to the benefit thereof and payment thereon; and ſuch aſſignees may in like manner aſſign or transfer the ſame again, and ſo *toties quoties*; and that it ſhall not be in the power of ſuch perſon, who ſhall have made ſuch aſſignment, to make void or diſcharge the original ſecurity or monies thereby due.

not after in power of aſſignor.

Creditors in equal degree,

XIV. And be it enacted by the authority aforeſaid, that all perſons, to whom ſuch mortgage, ſecurity, or aſſignment ſhall be

be made, shall be (in proportion to the sums mentioned) creditors on such rents, on credit whereof such sums are advanced, in equal degree one with another, and shall have no preference in respect of the prior advancement of such money, or prior date of such mortgage or other security.

no preference on prior advancement or date.

XV. And be it further enacted by the authority aforesaid, that the property of such lender shall be deemed and adjudged in all courts of law and equity to be personal and not real estate, and shall not be deemed or adjudged subject to or to be affected by any of the laws to prevent the further growth of popery, or subject to any discovery under the same.

Personal property, not subject to popery laws.

XVI. And be it enacted by the authority aforesaid, that all the clauses of the aforesaid act, passed in the sixth year of the reign of his late Majesty king George the first, not hereby altered or varied, shall be in force as fully, as if this act had not been made.

6 *G.* 1. c. 16. in force, save as altered.

XVII. And be it enacted by the authority aforesaid, that if any action or suit shall be commenced or any replevin brought against any person for any thing done by him under and in pursuance of this act, the defendant or defendants, avowant or avowants, or others making conusance in such action, suit, or replevin, may plead the general issue, or avow, or make conusance generally, that the plaintiff is indebted to the said corporation of Dublin in a certain sum of money by virtue of this act, and that the same still remains due, and give this act and the special matter in evidence at any trials thereupon, and that the distress, or other matter or thing for which such action, suit, or replevin shall be so brought, was taken or done in pursuance and by authority of this act; and if in such action, suit, or replevin the jury shall find for such defendant, avowant, or person making conusance, or if the plaintiff shall be nonsuited or discontinue, or if by default, or upon any demurrer, judgment shall be given for such defendant or avowant, or person making conusance, in any of the cases aforesaid such defendant or avowant, or person making conusance, shall have double costs, and such remedy for recovering the same, as any defendant may have for costs in any other case by law; and, if the plaintiff shall have proceeded by way of replevin, shall also have judgment for a return of the distress taken.

Defendants may plead general issue, or avow generally, &c.

and have double costs,

and return of distress.

XVIII. Provided always that nothing herein contained shall extend to charge any brewer, or other person entitled to and possessed of the use of any part of the water of the said river Dodeer by title not derived under the said lord mayor, sheriffs, commons,

No rent for use of Dodeer water not derived under corporation.

A. D. 1775-6.

commons, and citizens, with the payment of the rent for any water or water-courſe, to which they are ſo entitled, and whereof they are now in poſſeſſion.

Saving right of others.

XIX. Saving nevertheleſs to the king's moſt excellent Majeſty, and all bodies politick and corporate, and every other perſon whatſoever, except the lord mayor, ſheriffs, commons, and citizens of the city of Dublin, and the ſeveral guilds within the ſaid city, all ſuch right, title, and intereſt in the ſaid water and water-courſes, as they would have had, if this act had never been made.

A publick act, *this act and 6 G. 1. c. 16. (ſave as altered) in force by 19 and 20 G. 3. c. 13. ſ. 19.*

XX. And be it further enacted by the authority aforeſaid, that all the coſts and charges in preparing, drawing, obtaining and paſſing this act, ſhall be deducted, as ſoon as may be, out of the firſt money received by virtue thereof; and that this act ſhall be deemed a publick act, and judicially taken notice of as ſuch by all judges, juſtices, and other perſons without ſpecially pleading the ſame.

CHAP. XXV.

An act for amending an act paſſed in the eleventh and twelfth years of his preſent Majeſty's reign, entitled, *An act for better regulating the foundling hoſpital and work-houſe in the city of Dublin, and increaſing the fund for the ſupport thereof; alſo for making a proviſion for appointing a* Locum Tenens *in caſe of the death or abſence of the lord mayor, or the preſident of the court of conſcience.*

11 and 12 G. 3. c. 11. ſ. 10.

WHEREAS by an act paſſed in the eleventh and twelfth years of the reign of his preſent Majeſty, entitled, *An act for the better regulating the foundling hoſpital and work-houſe in the city of Dublin, and increaſing the fund for the ſupport thereof; alſo for making a proviſion for appointing a* locum tenens *in caſe of the death or abſence of the lord mayor, or the preſident of the court of conſcience,* the aſſiſtants appointed by the governors of the foundling hoſpital and work-houſe of the city of Dublin, or any five of them, are impowered to put in force and execution all and every the laws, rules, orders, and regulations, which have been or ſhall from time to time be made or ordained at any of their ſaid quarterly or other general meetings or aſſemblies, wherein eleven at leaſt ſhall have been preſent: and whereas every rule, order, regulation, and bye law ſubſiſting on the twenty third day of June one thouſand ſeven hundred and ſeventy

two is thereby made good and valid, subject nevertheless to be amended, altered, or made null and void by the said governors thereby created, or any twenty one of them, or more: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the governors of the foundling hospital and work-house of the city of Dublin, shall have full power and authority to make and ordain rules, orders, bye laws and other regulations at their quarterly or other general meetings or assemblies to be holden in pursuance of the said act.

governors may make bye laws and orders at quarterly or general assembly in pursuance of said act.

II. Provided always, that no rule or regulation, hereafter to be made by the said governors, shall have the force of a bye law, unless such rule or regulation shall be confirmed, twenty one governors at the least signing the same at a quarterly general meeting, the same having been first proposed at some general meeting fourteen days at least previous to said quarterly meeting or assembly, and notice given of its being to be taken into consideration in the summons for the said quarterly meeting; and that no bye law, at any time hereafter to be made, shall be repealed, altered, or suspended, except at a general quarterly meeting or assembly, twenty one governors at least being present, and also except the repeal, alteration, or suspension thereof shall have been proposed at some general meeting or assembly fourteen days at the least previous to such quarterly meeting or assembly, and notice given thereof in the summons for such quarterly meeting or assembly.

Not bye laws, unless confirmed, 21 signing, at quarterly meeting, proposed 14 days before at a general meeting, and notice in the summons;

so on repealing, altering, or suspending;

III. And be it enacted by the authority aforesaid, that if any governor shall accept of or enjoy any place of profit, or any salary or emolument, under the said corporation, he shall cease to act as a governor, so long as he shall enjoy the same.

No governor to enjoy place or emolument under corporation.

IV. And whereas by the said act it was enacted, that all and every poor child and children under the age of six years, who shall be found or taken up within the said city and liberties thereunto adjoining, or sent to the foundling hospital, shall be received and kept therein or sent to nurse therefrom; and that all children who shall appear to be six years old, and whose age shall not be thought to exceed eight years, and shall be presented to the said governors, eleven at least being present, or to the court of assistants, in said recited act mentioned, or any five of them, to be received or admitted into the said house, should be by them received, provided there should be proper room in the said house, and provided such child or children, so from time

11 and 12 G. 3. c. 11. s. 16. recited,

to

to time to be preſented for admiſſion, ſhall appear to be ſound in mind and body: and whereas the number of children of the age of ſix years and under have of late years increaſed ſo far beyond the expectation of the ſaid governors, that the expence of ſupporting them has exceeded every proviſion, that could be made, excluſive of grants of parliament: in order therefore that the funds, appointed for the ſupport of the foundling hoſpital and work-houſe, ſhall be applied to the proper uſe, be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix there ſhall not be received into the ſaid hoſpital or ſent to nurſe therefrom any child, who ſhall appear to be above the age of one year old, upon any account whatſoever, any law to the contrary notwithſtanding.

no child, appearing above 1 year old, received or ſent to nurſe,

13 & 14 G. 3. c. 17. ſ. 1.

V. And be it enacted by the authority aforeſaid, that the ſaid governors or any eleven or more of them, or the court of aſſiſtants or any five of them, may in caſes, where any fine is incurred or liable to be impoſed by virtue of ſaid firſt recited act, impoſe or inflict only ſuch part of ſuch fine according to the nature of the offence committed, as they in their diſcretion ſhall judge proper; ſo as ſuch fine to be impoſed by them ſhall not be leſs than twenty ſhillings; any thing in the ſaid act to the contrary notwithſtanding.

11 governors or 5 aſſiſtants may reduce fines,

ſo as not under 20s.

VI. And be it further enacted, that inſtead of the days in the ſaid act appointed for the ſeveral quarterly meetings or aſſemblies, ſaid quarterly meetings or aſſemblies ſhall be held on every ſecond day of February, firſt day of May, firſt day of Auguſt, and firſt day of November, in every year, unleſs any of ſaid days ſhould happen to fall upon a Sunday; in which caſe ſuch meeting or aſſembly ſhall be held on the Monday immediately following; and that every act, matter, or buſineſs, by the ſaid recited act or by this preſent act ordered, directed, or allowed to be done at any of ſaid quarterly meetings or aſſemblies, ſhall and may be done on any of ſaid days herein before for that purpoſe mentioned, except that the court of aſſiſtants ſhall be always elected on the firſt day of May in every year, or, if ſaid day ſhould happen to fall upon a Sunday, on the Monday immediately following.

Quarterly meetings by 11 and 12 G. 3. c. 11. ſ. 10. altered to 2d February, 1ſt May, Auguſt, and November, unleſs Sunday,

aſſiſtants elected 1ſt May yearly, unleſs Sunday.

VII. And be it enacted by the authority aforeſaid, that no rule or order relating to the internal management of the ſaid hoſpital, which ſhall be made at any meeting of the court of aſſiſtants, ſhall at any time be valid or conſtrued to be ſo, unleſs five members, who were preſent at ſuch meeting, ſhall on the ſame

No order of aſſiſtants valid, unleſs 5 preſent ſign the book ſame day.

same day sign their names in the book, in which the orders and resolutions relative to the same are usually entered.

VIII. And whereas by the said first recited act it was enacted, that for the better support of the foundling hospital and work-house, and for the maintenance and education of all the children which have been or shall be received therein, there shall be charged upon and paid into the said governors and their successors from and after the twenty fourth day of June one thousand seven hundred and seventy two for ever thereafter for all and every the houses within the several parishes of Dublin, and the liberties of Saint Sepulchres, Thomas Court, and Donore, and the liberties of Christ Church and saint Patrick's thereunto adjoining, and within the suburbs of said city, whether in said county or city, in all such places extra-parochial within the said county and liberties the sum of six pence in the pound yearly and every year for every pound of the yearly rent of every such house or houses, as the valuations are returned for the collection of minister's money in the city, suburbs, and liberties aforesaid; and where no such valuations are or shall be returned for the collection of minister's money, or such house or houses as are or shall be built in a place extra-parochial, a new valuation may be made in the manner mentioned in said act.

11 & 12. G. 3. c. 11. s. 51. recited,

IX. And whereas it has been found extremely difficult to ascertain the valuation of several of those houses, whereby the funds intended for the support of the said hospital have been considerably diminished: and whereas several houses, not charged with minister's money, are nevertheless charged with parish or county cesses: be it enacted by the authority aforesaid, that it shall and may be lawful for the said governors, until a valuation of such houses for the collection of minister's money shall be made, to charge all such houses with six pence in the pound, and with all other taxes chargeable thereon, for the use of the said foundling hospital and work-house, to be ascertained by and applotted according to any parish or county cess, which hath been or shall be made to charge any such house with the payment of any parish or county cess.

Difficult to ascertain valuation of several houses,

till valuation for minister's money, houses charged with 6d. *per* £. and other taxes, by the parish or county cess.

A. D. 1775-6.

CHAP. XXVI.

An act for encouraging the cultivation, and for the better preservation of trees, shrubs, plants, and roots.

WHEREAS the several acts of parliament made for the encouragement of planting and for preserving of timber trees, woods, and underwoods, herein after mentioned, have not had the desired effect; and to avoid the confusion, which may arise from the multitude of the laws relative to the same subject, it is thought expedient to repeal the said several acts, and to make one new act containing all such parts of the said acts, as are proper to be continued, with such alterations and additions as are herein after contained: therefore be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the first day of May one thousand seven hundred and seventy six an act of parliament passed in the tenth year of the reign of his late Majesty king William the third, entitled, *An act for planting and preserving timber trees and woods*, and also another act of parliament passed in the fourth year of her late Majesty Queen Anne, entitled, *An act for explaining and putting in execution an act for planting and preserving trees and woods, and for explaining and putting in execution an act to avoid and prevent misdemeanors in idle and lewd persons in barking of trees*, and also another act of parliament passed in the ninth year of her late Majesty queen Anne, entitled, *An act for the further explaining and putting in execution an act for planting and preserving timber trees and woods*, and also another act of parliament passed in the eighth year of the reign of his late Majesty king George the first, entitled, *An act for repealing part of an act passed in the tenth year of king William the third*, entitled, *An act for planting and preserving timber trees and woods, and also for giving further encouragement to plant and preserve timber trees and woods*, and also so much of an act passed in the fifth year of the reign of his late Majesty king George the second, entitled, *An act to encourage the improvement of barren and waste land and bogs, and planting of timber trees and orchards*, as relates to the planting of timber trees, shall be repealed and made null and void.

10 *W.* 3. c. 12.

4 *Anne*, c. 9.

9 *Anne*, c. 5.

8 *G.* 1. c. 8.

and so much of 5 *G.* 2. c. 9. as relates to planting timber trees,

repealed.

II. And be it enacted by the authority aforesaid, that from and after the first day of May one thousand seven hundred and seventy

Spoiling or destroying timber or

seventy six every person, who shall wilfully cut down or break down, bark, burn, pluck up, lop, top, or otherwise damage, spoil, or destroy, any timber tree, or fruit tree, or any young trees or shoots, or any part thereof, without the consent of the owner or owners thereof first had and obtained, or who shall be aiding or assisting in so doing, or who shall have in his, her, or their possession any timber tree, or any kind of wood, under wood, poles, sticks of wood, shoots or young trees, shrubs, plants, or roots, and shall not give a satisfactory account, that he, she, or they came fairly and honestly by the same, or who shall fix up in any church or chapel the green branches of any tree or shrub, or any part of any tree or shrub, having the leaves on it, except holly, bay, lauristina, yew, or ivy, and shall be thereof convicted upon the oath of any one credible witness before any one of his Majesty's justices of the peace within his jurisdiction, shall for every such offence forfeit and pay such sum of money, not exceeding five pounds, as to such justice shall seem meet, together with the charges previous to and attending such conviction, to be ascertained by such justice who shall convict the offender, and upon nonpayment thereof such justice shall commit such offender to the common gaol, or house of correction of such county by warrant under his hand and seal, there to remain without bail or mainprize for any time not exceeding six months, or until the said penalty and charges shall be paid.

fruit tree; young trees or shoots, without consent of owner; assisting, possessing without satisfactory account, fixing branches (save holly, &c.) in church, on 1 witness penalty not above 5l. with charges, on nonpayment committed not above 6 months.

III. And be it further enacted by the authority aforesaid, that all oak, beech, ash, elm, larix, sycamore, walnut, chesnut, cherry, lime, poplar, alder, quicken, or mountain ash, holly timber, sallow, asp, birch, cedar, pine and fir trees, shall be deemed and taken to be timber trees, within the true meaning and provision of this act, and of every other act now in force in this kingdom relative to timber trees

Trees deemed timber within this and every other act.

IV. And be it further enacted by the authority aforesaid, that every person, who shall from and after the first day of May aforesaid wilfully cut down, or break down, pluck up, or spoil, burn, or destroy, or take, carry, or convey away any shrub, plant, or root, shrubs, plants, or roots, out of the nurseries, gardens, woods, or fields of any other person, without the consent of the owner or owners thereof first had and obtained, or who shall be aiding or assisting in so doing, or who shall make use of any gads, withs, bows, or backbands, made of wood, on his or their plows, harrows, cars, carts, harness, or tackle, or in whose custody or possession any gads or withs shall be had or found, or who shall make use of any scollops of oak or ash, or any other timber

Destroying or taking shrub, plant, or root, out of nursery, &c. assisting therein, using or possessing gads, withs, &c. on plows, tackle &c. or timber scollops for thatching,

A. D. 1775-6. Chap. 26.

timber tree for thatching of houſes, or who ſhall put up any may buſh oppoſite or near to his or her houſe, or ſuffer any may buſh to be ſo put up, or to remain for the ſpace of three hours oppoſite or near to his or her houſe, or who ſhall keep any bark or rind of trees in his or her houſe or poſſeſſion, not being a known tanner or dyer, or perſon lawfully poſſeſſed of trees or woods, or not having lawfully obtained the ſame from ſome perſon ſo poſſeſſed of trees or woods, and ſhall be thereof convicted upon the oath of any one credible witneſs before any one juſtice of the peace within his juriſdiction, ſhall forfeit and pay ſuch ſum of money, as to ſuch juſtice ſhall ſeem meet, not exceeding forty ſhillings, together with the charges previous to and attending ſuch conviction, to be aſcertained by ſuch juſtice who ſhall convict ſaid offender; and upon nonpayment thereof ſuch juſtice ſhall commit ſuch offender to the common gaol or houſe of correction of ſuch county by warrant under his hand and ſeal, there to remain without bail or mainprize for any time not exceeding three months, or until the ſaid penalty and charges ſhall be paid.

putting up or ſuffering May buſh near his houſe, or to remain 3 hours,

keeping bark or rind, (not a tanner or dyer, or poſſeſſed of woods, or lawfully obtaining) on 1 witneſs penalty not above 40s.

on nonpayment committed not above 3 months.

V. And be it further enacted by the authority aforeſaid, that if the clerk of the peace of any county ſhall negleet or refuſe to keep on a ſepatate file among the records of ſuch county, or to enter in an alphabetical book, every certificate, which ſhall be delivered to him by any perſon relative to the planting of trees, which ſuch clerk of the peace is ordered and directed ſo to do by an act paſſed in the ſixth year of his preſent Majeſty, entitled, *An act for the encouraging of the planting of timber trees*; every clerk of the peace ſo offending ſhall forfeit the ſum of five pounds for every ſuch offence, to be recovered by any perſon who ſhall ſue for the ſame by civil bill.

Clerk of peace not filing ſeparate or entering every certificate of planting as by 6 *G.* 3. c. 17.

5l. by civil bill.

VI. And be it further enacted by the authority aforeſaid, that his Majeſty's juſtices of the peace within their ſeveral and reſpective juriſdictions are hereby authorized to put this act in execution, and to adminiſter an oath to any ſuch credible witneſs or witneſſes as ſhall appear before them; and that one moiety of all ſuch forfeitures and pecuniary penalties to be inflicted by this act, and not otherwiſe applied, ſhall be paid to the informer with full coſts, and the other moiety to the poor of the pariſh; and that it ſhall and may be lawful for any conſtable or other perſon by warrant under the hand and ſeal of any one juſtice of the peace to make ſearch in all ſuſpected houſes and places within the juriſdiction of ſuch juſtice for any timber or fruit trees, ſticks, ſhoots, ſhrubs, plants, roots, or bark; and if ſuch conſtable or perſon ſhall find any ſuch in the poſſeſſion, houſe, out

Juſtices to inforce,

and adminiſter oath,

penalties, not applied, to informer with full coſts, and the pariſh poor,

ſuſpected places ſearched on warrant for trees, &c.

if found, the perſon brought before the juſtice,

houſe,

house, field, or ground of any person suspected to be guilty of any of the offences aforesaid, he shall bring such suspected persons before such justice of the peace; and if such suspected person shall not make full and clear proof to the satisfaction of such justice, that such timber, or fruit tree, sticks, shoots, shrubs, plants, roots, or bark, were fairly and honestly bought by such person, or given to him or her by the owner or proprietor thereof, in default thereof, and not otherwise, such suspected person shall be judged, and deemed, and shall stand convicted of a breach of this act, and shall be subject to the several penalties herein directed for such offence. A. D. 1775-6. not proving fairly bought or given by owner, convicted and subject to the penalties.

CHAP. XXVII.

An act to amend the several acts of parliament made in this kingdom for the more effectual preventing of frauds by tenants.

WHEREAS by an act of parliament made in the fourth year of the reign of his late Majesty King George the first, entituled, *An act to explain and amend an act*, intituled, *An act for the more effectual preventing of frauds committed by tenants*, it is enacted amongst other things, that in case the lessee or his assigns, or other person or persons claiming or deriving under a lease, shall permit and suffer judgment to be had and recovered on ejectment to be brought, as therein mentioned, by lessor or landlord having right by law to re-enter for nonpayment of rent, and execution to be executed thereon, without paying on demand the rent ascertained in the manner therein mentioned to be in arrear, together with full costs, or depositing the same in a court of equity on filing a bill within six months after execution executed, then and in such case the said lessee, or his assigns, and all other persons claiming or deriving under the said lease, shall be barred and foreclosed from all relief or remedy in law or equity, other than by writ of error for reversal of such judgment, in case the same shall be erroneous; and the landlord or lessor shall thenceforth hold the demised premises, discharged from such lease: and whereas a doubt hath lately been entertained, whether under the construction of the said last mentioned act after the rent in arrear shall be ascertained, as by the said act directed, the said rent so ascertained ought not to be demanded from the lessee, or his assigns, or other person or persons claiming or deriving under the said lease: and whereas ever since the making the last mentioned act of parliament it hath not been the practice, 4 *G.* 1. c. 5. s. 3.

A. D. 1775-6. Chap. 27.

after the ascertaining of the said rent in arrear to make any such demand thereof, and if the same should be necessary, it is apprehended, that the greatest part, if not all, of the evictions, which have been had under ejectments for nonpayment of rent since the making of the said last mentioned act, may be impeached, which may be productive of great litigation, and throw the landed property of this kingdom into great confusion: for remedy whereof be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that no eviction of any lessee, or his assigns, or other person or persons claiming or deriving under any lease of any demised premisses, by virtue of an ejectment for nonpayment of rent, grounded on the said acts of parliament for the more effectual preventing frauds committed by tenants, or any of them, which at any time heretofore hath been had, or which shall hereafter be had, shall be in any manner affected or impeached, on account of the not making such demand as aforesaid of the said rent, after the ascertaining thereof in manner aforesaid, nor shall it be necessary hereafter to make such demand.

on eviction by ejectment on statutes for nonpayment of rent, demand from lessee, &c. after ascertaining the rent as by said act, not necessary.

II. Provided always that nothing herein contained shall in any sort affect any suit either at law or in equity, which hath been instituted and is now depending for the purpose of defeating any eviction of any lease under the said recited acts of parliament, or any of them, on account of the omission of making such a demand as aforesaid; but the plaintiff or plaintiffs in such suits may, if they think fit, proceed therein, and the said question in such suit or suits shall be determined according to the true construction of the said recited acts of parliament, any thing in this act to the contrary thereof in any wise notwithstanding.

Suits depending not affected.

III. And whereas a doubt hath been conceived, whether under the aforesaid laws an ejectment for nonpayment of rent, reserved upon leases of great or small tythes or other ecclesiastical dues, may be brought for the eviction of such leases in case of nonpayment of such rent: be it enacted by the authority aforesaid, that as often as one whole year's rent shall be due or in arrear to any lessor of any lease of great or small tythes or other ecclesiastical dues, or any of them, and such lessor hath right by law to reenter or repossess the premisses so demised, for the nonpayment of such rent, such lessor may bring action of ejectment for recovery of such great or small tythes, or other ecclesiastical dues, or any of them, and proceed thereupon in the same manner, and

Lessor may bring ejectment for rent or tythes or ecclesiastical dues, as on lease of lands, where 1 year due, and right to re-enter.

ſhall be entitled to the ſame remedy and relief, and be ſubject to the ſame proviſoes and conditions, as in caſe of an ejectment for nonpayment of rent reſerved upon a leaſe of lands or other premiſes.

IV. And whereas tenants before the expiration of their leaſes, being in arrear to their landlords or leſſors, frequently abſcond, and leave the demiſed premiſſes waſte and untenanted, ſo that no ſummons or notice in ejectment for nonpayment of rent can be ſerved for the recovery of the demiſed premiſes, 'till an application is made, and an order obtained from one of the courts of common law, for ſubſtituting ſome other mode of ſervice thereof, whereby a great delay is often occaſioned to ſuch landlords or leſſors, and the arrear of rent due to them becomes conſequently greatly increaſed, before they can evict ſuch leaſes under the aforeſaid laws: be it enacted by the authority aforeſaid, that in all caſes where the tenant or tenants of any demiſed premiſſes ſhall abſcond, and cannot be found, upon affixing a copy of the declaration, ſummons, and notice in ejectment for nonpayment of rent upon ſome conſpicuous part of the principal houſe in and upon the demiſed premiſes, and, if there be no houſe thereon, upon ſome other publick and conſpicuous place upon the ſaid demiſed premiſes, and in caſes of ejectment for nonpayment of rent reſerved upon leaſes of tythes, or other eccleſiaſtical dues, upon the church door of the pariſh or union of pariſhes, wherein ſuch tythes or eccleſiaſtical dues are payable, and if there be no church in ſuch pariſh, or union of pariſhes, upon ſome other publick and conſpicuous part of ſuch pariſh or union of pariſhes, the ſame ſhall be a ſufficient ſervice of ſuch ſummons and notice in ejectment without any rule or order of any court for that purpoſe previouſly had or obtained.

Where tenants abſcond, fixing copy of proceedings in ejectment on the principal houſe, or conſpicuous place, if for tythes or dues on church door, ſufficient ſervice of ſummons and notice, without order.

V. Provided always, that before ſuch ſervice of ſuch ſummons and notice ſhall be allowed by the court, in which ſuch ejectment ſhall be brought, as ſufficient ſervice of the ſame, it ſhall be made appear to ſuch court by affidavit, that the tenant or tenants of ſuch demiſed premiſes, or tythes, or eccleſiaſtical dues, hath or have abſconded, and though diligent ſearch hath been made for him, her, or them, he, ſhe, or they cannot be found; and provided alſo that ſuch ſummons or notice ſhall have been ſo affixed one month before any further proceeding ſhall be had in the ſaid ejectment.

Upon affidavit of abſconding and diligent ſearch,

ſo affixed 1 month before further proceeding.

CHAP.

A. D. 1775-6.

CHAP. XXVIII.

An act to explain and amend an act made in the third and fourth years of the reign of his present Majesty, entitled, *An act for making more convenient the approaches to the city of Dublin by making a new turnpike road on the south side, the west side, and the north side of the said city, to commence at the road leading from Dublin to Donnybrook, and to terminate in Cavendish street.*

Repealed by 27 & 28 G. 3. c. 20. save as to arrears for purchase, summoning juries, appointing officers, &c.

regulations in 3 G. 3. c. 36. insufficient,

a more convenient direction for the circular road, to northward of Eccles-street,

for making & repairing a circular road 60 feet wide in such direction as 15 trustees order,

members of parliament, trustees named or since elected, justices of county and city having freehold 200l. a year in either, or any 7, may erect turnpikes,

WHEREAS it hath been found by experience, that the regulations contained in an act of parliament made and passed in the third and fourth years of the reign of his present Majesty, entitled, *An act for making more convenient the approaches to the city of Dublin by making a new turnpike road on the south side, the west side, and the north side of the said city, to commence at the road leading from Dublin to Donnybrook, and to terminate in Cavendish street*, are not sufficient to answer the purposes thereby intended; and that since the passing of said act, many houses have been built to the northward of Mc Donnell's lane, which will make it highly inconvenient to have the road therein mentioned made in the direction pointed out by said act; but that it will be much more advantageous to the inhabitants of the city of Dublin to have the said road made to the northward of Eccles-street: therefore for the surveying, making, amending, and keeping in repair a circular road sixty feet wide in the clear at the least round the city of Dublin, beginning at the wall of the river Anna Liffey, to the eastward of the marine nursery, and from thence to the new bridge lately built on the south of Kilmainham, and from thence across the said river Anna Liffey at or near Island bridge, and to be continued on the outside of his Majesty's park the Phœnix, from thence to the northward of the fields of Henry Meredyth, esquire, near the road leading from Dublin to Finglass, and from thence to the northward of Eccles street in Dorset street, and from thence to the wall of the river Anna Liffey to the eastward of the delph manufactory, lately kept by —— Ashbourne, in such direction as the said trustees, or any fifteen or more of them, under their hands and seals shall order and direct, be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that it shall and may be lawful to and for the members of both houses of parliament for the time being, and for the trustees named in the said act, or elected since passing the same, and for every justice of the peace for the county of Dublin and city of Dublin, having an estate of freehold in lands, tenements, or hereditaments, of the clear yearly value of two hundred pounds at the least within either of the said counties, or any seven or more of them, or such person or persons as they, or any seven or more of them, shall authorize and appoint, to erect or cause to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or across any part or parts of the said road, and also a toll house or toll houses, and there to demand, receive, and take, instead of the tolls and duties in the former act, which from and after the passing hereof shall cease and be hereby repealed, the tolls and duties following, before any horse, mare, or gelding, cattle, coach, berlin, chariot, calash, chair, waggon, wain, cart, carr, dray, or other carriage, shall be permitted to pass on the said road; that is to say,

former toll repealed,

the toll and duties taken,

for every coach, berlin, chariot, calash, chaise, or chair, drawn by six horses or beasts of burthen, or more, the sum of one shilling and six pence; for every coach, berlin, chariot, calash, chaise, or chair drawn by less number than six,

and

and more than two the sum of one shilling; for every coach, berlin, chariot, calash, chaise or chair, drawn by two horses, six pence; for every carriage, commonly called a chaise or chair with one horse, mare, or gelding, the sum of three pence; for every carriage called a brewer's dray with wheels narrower than nine inches the sum of five shillings and five pence; for every waggon, wain, cart, or carriage with four wheels, the breadth thereof being not less than six inches at the sole, and the streaks thereof set on with flat or rose headed nails, and the fore axle tree of such carriage being so much shorter than the hind axle tree, that such carriage shall roll at least ten inches of the road in breadth on each side of such carriage, and the wheels thereof placed at such a distance from each other that the space between the middle of one track, made by the wheels on the road, and the middle of the other track, shall be from four feet ten inches to five feet, drawn by three or more horses, three pence; for every waggon, wain, or cart or carriage with two wheels, the breadth thereof being not less than six inches at the least, and the streaks thereof set with flat or rose headed nails, two pence; for every waggon, wain, or cart with four wheels, narrower than six inches, ten shillings; for every waggon, wain, or cart with two wheels, narrower than six inches, having two or more horses, five shillings; for every carr or cart having but one horse, mare, gelding, or mule, the breadth of the wheels thereof being three inches at the sole, and the streaks thereof set on with flat or rose headed nails, two pence; for every cart or carr having but one horse, mare, gelding, or mule, the breadth of the wheels thereof being four inches at the sole, and the streaks thereof set on with flat or rose headed nails, one penny half penny; for every carr or cart having but one horse, mare, gelding, or mule, with the wheels narrower than three inches, one shilling; for every horse, mare, gelding, mule, or ass, laden or unladen, not drawing, one penny; for every drove of oxen or neat cattle, the sum of one shilling and eight pence by the score, and also in proportion for any greater or lesser number; for every drove of calves, hogs, sheep, or lambs, the sum of ten pence by the score, and so in proportion for any greater or lesser number; which said several sums of money shall be raised and levied by and vested in the said trustees, and shall be by them paid, applied, and disposed of, and assigned to and for the making or repairing the said circular road, and for the several uses, intents, and purposes, and under the several regulations, in and by the said former act or by this act particularly mentioned and set forth; and that the said trustees shall be vested with all such powers and authorities, as in and by the said former act are granted, except where the same are hereby altered, and that they may also be vested with such other powers and authorities, as are herein and hereby granted and appointed.

Sums raised vested in said trustees for purposes in this and said act, with like powers, save where altered.

II. Provided always, and be it further enacted by the authority aforesaid, that no gate, turnpike, or toll-house, shall be erected, or tolls paid upon any part of the present road made by lord viscount Fitzwilliam between the south wall of the said river Anna Liffey and the road leading from Dublin to Donnybrook.

No turnpike on lord Fitzwilliam's road.

III. Provided also, that no part of the intended road shall be made through any part of the estates of the right honourable the lord Palmerstown, or of Henry Monck, esquire, without their consent, or the consent of their respective heirs previously had.

Not thro' estates of lord Palmerstown, or Henry Monck.

IV. Provided also, and be it further enacted by the authority aforesaid, that no gate, turnpike, or toll-house shall be erected, or any toll demanded at any turnpike gate between his Majesty's castle of Dublin, and any part of said circular road, except by order of the said trustees, or any fifteen or more of them, under the penalty of ten pounds sterling, to be levied off the goods and chattles of the person levying such toll, or keeping such gate, upon conviction thereof before any justice of the peace of the county of Dublin or county of the city of Dublin, who are hereby authorized to hear such complaint, and upon conviction to issue their warrant accordingly.

Nor between Dublin castle and any part of said road, except by order of 15, penalty 10l.

V. And be it further enacted by the authority aforesaid, that the said trustees, or any seven or more of them, shall be, and are

7 may contract for purchase or rent of grounds, &c.

A. D. 1775-6. Chap. 28.

are hereby authorized and empowered from time to time to treat, contract, and agree with the ſeveral owners, proprietors, occupiers, and perſons intereſted in any lands, tenements, houſes, buildings, grounds, or hereditaments, through which ſuch road is to be made, for the purchaſe thereof, or by way of rent for the ſame, or otherwiſe, as the ſaid reſpective truſtees, or any ſeven or more of them, ſhall think fit, and to pay for the ſame, and for any loſs or damages in any manner, as in and by the ſaid former act is directed; and alſo that it ſhall and may be lawful for all bodies politick, corporate, or collegiate, corporations aggregate or ſole, and all feoffees in truſt, executors, adminiſtrators, guardians, committees, and other truſtees whatſoever, for and on behalf of any infants, femes covert, lunaticks, ideots, or ceſtuique truſts, and for all and every perſon and perſons whomſoever, who are or ſhall be ſeized, poſſeſſed of, or intereſted in any wiſe in any ſuch lands, tenements, houſes, buildings, ground, or hereditaments, to treat with the ſaid truſtees, any ſeven or more of them, for the purchaſe of ſuch lands, tenements, houſes, buildings, grounds, or hereditaments, and to convey the ſame to ſaid truſtees, in ſuch manner and form as in and by ſaid former act or by this act is directed; and that ſuch truſtees in caſe of the neglect or refuſal of ſuch owners, proprietors, occupiers, or perſons intereſted as aforeſaid, to treat or agree for the purchaſe of ſuch lands, tenements, houſes, buildings, grounds, and hereditaments, or any part or parts thereof in manner as in ſaid former act or in this act is ſet forth, ſhall have ſuch power and authority to ſummon juries, and to examine perſons upon oath, and to adjudge compenſation to ſuch owners, proprietors, occupiers, or perſons intereſted as aforeſaid, and to charge the ſame upon the tolls in ſuch manner, and under ſuch regulations, powers, and authorities, as in the ſaid former act is particularly ſet forth; and that it ſhall be lawful for the ſaid truſtees, or any ſeven or more of them, with their workmen or agents, to take down ſuch houſes, buildings, and tenements, and to lay the ground whereon the ſame were erected, and alſo ſuch other grounds, lands, and hereditaments as aforeſaid, or ſuch part thereof, into ſuch new road, as they ſhall think fit; and that ſuch new road, when ſo laid out and made, ſhall become a common highway, and be repaired, and kept in repair, and the annual rents thereof paid, and the payment of the tolls of ſuch road enforced under ſuch regulations, authorities, and powers, as in the ſaid former act or by this act is particularly ſet forth, any proviſoe in the ſaid former act to the contrary thereof in any wiſe notwithſtanding.

and pay damages as by ſaid act,

corporations, guardians, &c. may treat & convey to ſaid truſtees,

on refuſal jury ſummoned, examination on oath, and compenſation charged on tolls, as by ſaid act,

buildings may be pulled down,

ground laid into the new road,

a common highway, repaired, rents paid, and toll inforced, as by this or ſaid act.

All powers to truſtees in ſaid act, not herein repealed, continued,

VI. And be it further enacted by the authority aforeſaid, that all ſuch other powers and authorities for the making, repairing, ſurveying, and keeping in repair the ſaid circular road, or for collecting and aſſigning the tolls thereof, and all other powers and authorities whatſoever, given to the truſtees in and by the ſaid former act, and not herein particularly repealed, ſhall and may be continued to the ſaid truſtees appointed by this act, in ſuch manner and form, as in and by the ſaid former act is ſet forth.

A yearly ſuperintendant for ſouth and north diviſion,

VII. And be it further enacted by the authority aforeſaid, that it ſhall be lawful for the ſaid truſtees, or any ſeven or more of them, every year to appoint one ſuperintendant every year for the ſouthern diviſion of ſaid road, and one ſuperintendant for the northern diviſion of ſaid road; and that the ſurveyor and ſurveyors appointed or to be appointed purſuant to the ſaid former act, and ſuch perſon or perſons as he or they ſhall appoint from time to time to remove and prevent annoyances on any part of the ſaid road, or within thirty feet of the center of ſaid road, by filth, dung, aſhes, rubbiſh, ſewers, or drains running into the ſaid road, and to cleanſe any ditch, ſewer, or water courſe adjoining to the ſaid road, or which may be neceſſary to carry off the water therefrom.

to remove annoyances within 30 feet of center,

cleanſe ſewers or ditches.

Toll continued 41 years from 26 April 1776.

VIII. And be it further enacted by the authority aforeſaid, that the toll or duty hereby granted ſhall take place and have continuance from and after the twenty ſixth day of April one thouſand ſeven hundred and ſeventy ſix for and during the term of forty one years.

No grant at board till affidavit by 2 before 2 juſtices that ſo much by the perch is neceſſary,

IX. And be it further enacted by the authority aforeſaid, that no money ſhall be granted at any board for the making or repairing of any part of the ſaid road, unleſs it ſhall appear by the affidavit of two credible perſons, who can read and write, ſworn before any two juſtices of the peace for the county or city of Dublin, that ſuch a ſum is neceſſary to make or repair ſo many perches of ſaid road at the rate of ſo much by the perch, and that a ſmaller ſum will not be ſufficient to repair or make the ſame; and that no money ſhall be paid by the treaſurer to any overſeer of ſaid road, unleſs ſuch overſeer ſhall deliver to ſuch treaſurer an affidavit, ſworn before a board of the ſaid truſtees, or before any two juſtices of the peace for ſaid county or city, that the ſaid ſum hath been faithfully and honeſtly expended in making or repairing ſo many perches of the ſaid road, and for his wages at not more than eighteen pence for each pound ſo expended in making or repairing ſaid road, and that he did attend ſaid work diligently and carefully, and ſhall alſo produce an exact account of the number of men, horſes and carrs, employed each day at the ſaid work, and ſhall ſwear to the truth of the ſaid account; and if it ſhall happen, that there ſhall not appear at any meeting, which ſhall be appointed to be had and held by the ſaid truſtees, a ſufficient number of ſuch truſtees to act at ſuch meeting, and to adjourn to any other day, then and in ſuch caſe the treaſurer by publiſhing notice in the Dublin gazette at leaſt twenty days before the next meeting ſhall appoint the ſaid truſtees to meet at the place, where the meeting of ſaid truſtees was laſt appointed, or at ſome other convenient place near the ſaid road; and that the ſaid truſtees at every meeting ſhall defray their own charges and expences.

nor payment by treaſurer till overſeer's affidavit of expenditure and wages at 18d. *per* l. and careful attendance, and exact account verified,

if not a number to act, treaſurer on 20 day's notice in gazette, to appoint meeting,

truſtees defray charges.

Defendants may plead general iſſue, &c. as in ſaid act.

X. And be it further enacted by the authority aforeſaid, that in any ſuit to be commenced againſt any perſon or perſons for any thing done in purſuance of this act the defendant or defendants may plead the general iſſue, and give the ſpecial matter in evidence, and have ſuch other advantages, as in the ſaid former act is in ſuch caſe ſet forth.

XI. And

A. D. 1775-6.

A publick act.

XI. And be it further enacted by the authority aforesaid, that this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially pleading the same.

CHAP. XXIX.

An act for regulating of trials of peers or peeresses in cases of capital offences.

On trial of peers for treason the overt act for acting against the King's person or title, or misprision thereof; all, having right to sit and vote, summoned 20 days before;

shall vote, first taking oaths in 1 *W.* & *M.* and declaration 30 *C.* 2.

WHEREAS upon the trials of peers or peeresses it appears to be just and reasonable, that all peers, who have a right to sit and vote in parliament, shall be summoned to attend upon such trials: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that upon the trial of any peer or peeress for any treason, the overt act whereof shall consist in compassing the death of the king, or in levying war against the king, or in adhering to the king's enemies, or otherwise acting against the person or title of his Majesty, or for misprision of such treason, all the peers, who have a right to sit and vote in parliament, shall be duly summoned twenty days at least before such trial to appear at every such trial; and that every peer so summoned, and appearing at such trial, shall vote in the trial of such peer or peeress so to be tried; every such peer first taking the oaths mentioned in an act made in the first year of king William and queen Mary, entitled, *An act for abrogating the oaths of supremacy and allegiance, and appointing other oaths*; and also every such peer subscribing and audibly repeating the declaration mentioned in an act for the more effectual preserving the king's person and government by disabling papists from sitting in either house of parliament, and made in the thirtieth year of the reign of the late king Charles the second.

CHAP. XXX.

An act for continuing an act, entitled, *An act for the further preventing delays of justice by reason of privilege of parliament.*

11 & 12 *G.* 3 c 12. continued 10 years from 24 June next,

WHEREAS an act passed in the eleventh and twelfth years of the reign of his present Majesty intitled *An act for the further preventing delays of justice by reason of privilege of parliament*, hath been found very beneficial to this kingdom: be it enacted

enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the said act, and the several provisions therein contained, shall be in force for the term of ten years from the twenty fourth day of June next. A. D. 1775-6.

CHAP. XXXI.

An act for amending and rendering more effectual an act passed in the last session of parliament, entitled, *An act for reviving and continuing several temporary statutes, and to prevent the destructive practice of trawling for fish in the bay of Dublin; and for explaining and amending one other act made in the thirteenth and fourteenth years of the reign of his present Majesty*, entitled, *An act for explaining and amending an act passed in the fifth year of his present Majesty's reign*, entitled, *An act for erecting and establishing infirmaries or hospitals in this kingdom.*

WHEREAS the practice of trawling, as now carried on in the broad of Lamb-Bay, between the east point of the hill of Howth and the east point of the island called Lamb-Bay, tends to injure the fishery thereof and of the bay of Dublin: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that if any person or persons shall from and after the twenty fifth day of March in the year of our lord one thousand seven hundred and seventy six take or destroy any fish whatsoever in the broad of Lamb-bay between the east point of the hill of Howth and the east point of the island called Lamb-Bay by trawling, such person or persons shall, on due proof made before any one or more justice or justices of the peace of the county or county of the city of Dublin, forfeit and pay the sum of ten pounds, together with the boat or vessel which shall be employed in such trawl fishing, with all her tackle, sails, and rigging thereunto belonging, together with such fishing trawls and geer made use of in such trawling; the said sum of ten pounds to be levied by distress and sale of the goods of the person or persons so offending, one moiety thereof to the use of the marine society, and the other moiety to the use of such person or persons as shall inform and prosecute to conviction

Trawling between east point of *Howth* and of *Lamb-Bay*, proved before a justice of the county or city, penalty 10*l.* and the vessel, tackle, and geer, by distress and sale, to marine society and prosecutor,

A. D. 1775-6.

tion the person or persons who shall be found guilty of trawling as aforesaid.

Doubted whether the provision 13 and 14 *G.* 3. c. 43. extends to *Meath* hospital, now the county hospital.

II. Whereas in and by the said act of the thirteenth and fourteenth of his present Majesty it is enacted, that the building called the Meath hospital, situated as in said act is mentioned, shall from and after the twenty fourth day of June one thousand seven hundred and seventy four be created, founded, erected, and established the hospital or infirmary for the county of Dublin: but a doubt hath been conceived, whether the provision thereby made as to the bodies corporate and governors thereby mentioned and provided for, or in respect of the several infirmaries and hospitals in the several counties mentioned in an act made in the fifth year of his present Majesty touching county hospitals therein mentioned, doth extend to the said hospital lately called Meath hospital, and now the county hospital, under the present circumstances thereof: therefore be it enacted by the authority aforesaid, that his grace the lord archbishop of Armagh for the time being, the lord high chancellor for the time being, the bishop of the diocese, and the rector or vicar of the parish in which the said hospital, heretofore and now called as aforesaid, is situated, and also every donor and contributor to the said hospital as herein after mentioned, shall be a body corporate, governors and governor, of the said hospital, with like powers as the governors of other county hospitals in the said act of the fifth year of his present Majesty; and that as to the donors and contributors to the said hospital they shall be governors as follows; (that is to say) every donor of any sum not less than ten pounds shall be a perpetual member and governor; and every person, who shall subscribe and pay annually for the use of the said hospital one guinea, shall be a member of the said body corporate and governor for one year from the time of such subscription and payment, and no longer.

archbishop of *Armagh*, lord chancellor, bishop, rector, or vicar, where said hospital situated, and every donor, incorporated governors,

like powers as for other county hospitals by 5 *G.* 3. c. 20.

donor of 10*l.* perpetual,

of 1 guinea annually, for 1 year.

CHAP. XXXII.

An act for reviving, amending, and continuing several temporary statutes, and for other purposes therein mentioned.

5 *G.* 2. c. 15. as to *seamen*,

WHEREAS the several temporary laws and statutes hereafter mentioned are found to be of general use and fit to be revived and continued: therefore be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this

preſent parliament aſſembled, and by the authority of the ſame, that an act made in this kingdom in the fifth year of his late Majeſty King George the ſecond for the better regulating and government of ſeamen in the merchants ſervice, and alſo an act paſſed in the third year of his preſent Majeſty's reign, entitled, *An act to amend and continue an act*, entitled, *An act to prevent the exceſſive price of coals in the city of Dublin*, and alſo an act paſſed in this kingdom in the firſt year of his preſent Majeſty's reign, entitled, *An act for preventing frauds in the vending, preparing, and adminiſtering drugs and medicines*, be continued in force to the twenty fourth day of June one thouſand ſeven hundred and eighty three, and to the end of the then next ſeſſion of parliament.

A. D. 1775-6. Chap. 32.

3. *G.* 3. c. 27. as to *coals*,

1. *G.* 3. c. 14 as to *drugs*, continued to 24 June 1783, &c.

II. And be it further enacted by the authority aforeſaid, that an act made in this kingdom in the twenty fifth year of his late Majeſty King George the ſecond, entitled, *An act for buying and ſelling all ſorts of corn and meal, and other things therein mentioned, by weight, and for the more effectual preventing of frauds committed in the buying and ſelling thereof*; and alſo an act paſſed in the third year of his preſent Majeſty's reign, entitled, *An act for the better preſervation of the game*, and alſo an act made in this kingdom in the twenty fifth year of his late Majeſty King George the ſecond, entitled, *An act for the better preſervation of the game*, and every proviſion, in the ſaid ſeveral acts be continued in force to the twenty fourth day of June one thouſand ſeven hundred and eighty three, and to the end of the then next ſeſſion of parliament, with the following amendments, viz.

25 *G.* 2. c. 15. as to *weights*,

3 *G.* 3. c. 23. & 25 *G.* 2. c. 5. as to *Game*,

continued to 24 June 1783, &c. with following amendments.

Game.

III. Whereas it frequently happens, that many idle perſons take and deſtroy game on Sundays, when the firſt of Auguſt or firſt of September happen to fall on a Sunday: in order therefore to prevent the like for the future be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy ſix every perſon, who ſhall wilfully take, kill, or deſtroy, or who ſhall have in poſſeſſion, or who ſhall ſell or expoſe to ſale, or who ſhall buy, or cauſe to be bought, any grouſe between the firſt Saturday in January and the ſecond Monday in Auguſt in any year, or any partridge or quail between the firſt Saturday in January and the firſt Monday in September in any year, ſhall be liable to the ſame penalties, as are directed to be inflicted by the ſaid acts for the better preſervation of the game on any perſon, who ſhall be convicted of offending againſt the ſame.

To take, kill, have, ſell, or buy grouſe between 1ſt Saturday in January and ſecond Monday in Auguſt, or partridge or quail the 1ſt Monday in September,

liable to penalties by ſaid acts.

IV. And be it further enacted by the authority aforeſaid, that an act paſſed in the thirty third year of the reign of his late Majeſty,

Pariſh Clerks.

A. D. 1775-6.

Majesty King George the second, intitled, *An act for reviving and amending an act passed in the twenty third year of his present Majesty's reign*, intitled, *An act for amending, continuing, and making more effectual the several acts now in force in this kingdom for the more easy recovering of tythes and other ecclesiastical dues of small value, and also for the more easy providing a maintenance for parish clerks, so far only as the same relates to the more easy providing a maintenance for parish clerks, and to encourage the building of new churches*, be and the same is hereby, so far as the same relates to the more easy providing a maintenance for parish clerks, continued in full force until the twenty fourth day of June one thousand seven hundred and eighty three, and to the end of the then next session of parliament.

33 G. 2. c. 11. as to clerk's maintenance continued to 24 June 1783, &c.

CHAP. XXXIII.

An act for the more effectually preventing the plundering of ships or vessels which may be wrecked or stranded on the coasts of this kingdom.

Former laws insufficient,

WHEREAS the laws, hitherto of force in this kingdom, have not been found sufficient effectually to prevent the stealing, plundering, and carrying away goods from vessels in distress, stranded, or in danger of being stranded or wrecked, or driven on shore on the coasts of this kingdom: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that every person and persons, who shall get or have in his, her, or their custody or possession, any part or parts of any ship or vessel so in distress, stranded, wrecked, or driven on shore as aforesaid, or of the tackle, furniture, sails, ammunition, or cargo thereof, or of the goods belonging to such ship or vessel (knowing the same so to be) shall, within the space of three days next after such person or persons shall knowingly have got or had the same in his, her, or their custody or possession, give notice to some one of his Majesty's justices of the peace of the county, in which such person or persons shall be resident, or to the next residing officer of his Majesty's revenue, that he, she, or they hath or have part of such ship or vessel, or of the tackle, furniture, sails, ammunition, or cargo thereof, or the goods thereunto belonging (as the truth shall be) in his, her, or their custody or possession, and of the place or places where the same shall be deposited

notice in 3 days to a justice or next revenue officer of having any part, tackle, cargo, &c. of ship in distress, stranded, or wrecked, and where deposited,

posited at the time of giving such notice; and if any person or persons shall neglect or omit to give such notice as aforesaid, and shall be thereof lawfully convicted upon an indictment, he, she, or they shall suffer imprisonment for such term, not exceeding six months, as the judge or judges of assize, before whom such person or persons shall be convicted, shall in his or their discretion think fit.

or on indictment imprisoned not above 6 months.

II. And be it further enacted by the authority aforesaid, that every person or persons, who shall so have any part or parts of such ship or vessel, or of the tackle, furniture, sails, ammunition, or cargo thereof, or of the goods thereunto belonging, in his, her, or their custody or possession, shall deliver the same within forty eight hours after demand, and without wilful imbezzlement, to any of his Majesty's justices of the peace of the county where the same shall be, or to any of the officers of his Majesty's revenue, who shall demand the same; and every person and persons, who shall neglect, refuse, or omit to deliver the same as aforesaid, shall be deemed to have stolen the same, and being thereof lawfully convicted shall be adjudged guilty of felony; and it shall be sufficient in any indictment for any offence against this act to aver and prove, that such parts of any ship or vessel mentioned therein, or the tackle, sails, furniture, ammunition, or cargo thereof, had been on board or did belong to such ship or vessel, without averring or proving that the property thereof was in any particular person or persons.

Delivered unembezzled in 48 hours after demand to a justice or revenue officer,

or deemed stolen,

felony on conviction,

sufficient to aver & prove belonging to the vessel, without the property.

III. And be it further enacted by the authority aforesaid, that this act shall in every year be publickly read in full market on the market day next preceding Michaelmas day in the publick market place of every market town in this kingdom, situate within five miles of the sea, by the chief magistrate of every such market town having a chief magistrate, or by some person appointed by him, and in places, where there is not a chief magistrate, by the clerk of the market or by some person appointed by him; and every chief magistrate or clerk of the market, who shall neglect to read or have the same read as aforesaid, shall forfeit five pounds, to be recovered by civil bill by the party who shall first sue for the same.

Read in every market town within 5 miles of the sea the market before Michaelmas yearly by chief magistrate or market clerk, or person appointed,

penalty 5l. by civil bill.

A. D. 1775-6.

CHAP. XXXIV.

An act to prohibit the burning of lime or lime-ſtones in any lime-kiln which had not been erected before the twenty fourth day of March one thouſand ſeven hundred and ſeventy two.

Lime not burned within the lamps in kilns not erected before 24 March 1772,

BE it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of April next it ſhall not be lawful for any perſon to burn, or cauſe to be burned, any lime or lime-ſtones whatſoever within the publick lamps of the city of Dublin or the liberties thereof in any lime kilns, which had not been erected before the twenty fourth day of March one thouſand ſeven hundred and ſeventy two; and that if any perſon ſhall after the time aforeſaid burn any lime or lime-ſtone within the publick lamps of the ſaid city or the liberties thereof in any other lime kiln than as aforeſaid, he ſhall for every ſuch offence be liable to the penalty of fifty pounds; one moiety to be paid to the informer, and the other moiety to the church-wardens of the pariſh where ſuch lime ſhall be burned, to be by them applied to the uſe of the poor of ſuch pariſh; ſuch penalty to be recovered by action of debt, bill, plaint, or information in any of his Majeſty's courts of record in the ſaid city.

penalty, 50l.

to informer and the poor.

Suit in 6 months.

II. Provided always, that ſuch ſuit ſhall be commenced within ſix months, after that the ſaid offence ſhall have been committed.

Summoned by lord mayor or alderman to anſwer complaint,

III. And be it enacted by the authority aforeſaid, that it ſhall be lawful for the lord mayor, or any of the aldermen of the ſaid city, upon complaint made of ſuch offence having been committed, to ſummon the perſon, againſt whom ſuch complaint ſhall be made, to attend him at ſuch time and place, as ſhall be mentioned in ſuch ſummons, to anſwer ſuch complaint; and if it ſhall appear by the confeſſion of the party, againſt whom ſuch complaint ſhall be made, or by the oath of one or more witneſſes, that he has been guilty of ſuch offence, he ſhall iſſue his warrant to the ſheriffs of the city of Dublin requiring them to abate the kiln, wherein ſuch lime or lime-ſtones ſhall have been burned, which ſuch ſheriffs are hereby required and empowered to do.

ſheriffs on warrant to abate ſuch kiln.

Defendants may plead general iſſue, &c.

IV. And be it enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced or proſecuted for any thing,

which shall be done in pursuance of this act, the defendant or defendants may plead the general issue, and give the special matter in evidence. A. D. 1775-6.

V. And be it enacted by the authority aforesaid, that this act shall be deemed a publick act, and that judicial notice shall be taken thereof. A publick act.

CHAP. XXXV.

An act for amending an act made in the eleventh and twelfth years of his present Majesty's reign, entitled, [*An act for badging such poor as shall be found unable to support themselves by labour, and otherwise providing for them; and for restraining such as shall be found able to support themselves by labour and industry from begging*] *so far as the said act relates to the county of Limerick, and to the county of the city of Limerick, and for extending the provisions of the said act to the town of Colerain in the county of Londonderry.*

WHEREAS by an act of parliament made and passed in the eleventh and twelfth years of the reign of his present most excellent Majesty, intitled, *An act for badging such poor as shall be found unable to support themselves by labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by labour or industry from begging*, it was among other things enacted, that from and after the twenty fourth day of June one thousand seven hundred and seventy two there should be, and one body politick and corporate was thereby, created and erected in every county and in every county of a city, and in every county of a town, in this kingdom, consisting as therein was provided; which corporation should be called by the name of the president and assistants instituted for the relief of the poor, and for punishing vagabonds and sturdy beggars for the county of (adding the proper name of such county) with such duty, authority, and power, as by the said act are provided: and whereas the president and assistants instituted for the relief of the poor, and for punishing vagabonds and sturdy beggars for the county of the city of Limerick, being a corporation created and erected by the said act, have been enabled by the charity of several well disposed persons to erect at a very considerable expence a large and commodious house of industry for the reception of the poor upon a lot of ground lying contiguous to the said city, and within the liberties of the same, which 11 & 12 G. 3. c. 30.

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which they have procured for the purpoſe: and whereas the preſident and aſſiſtants inſtituted for the relief of the poor, and for puniſhing vagabonds and ſturdy beggars for the county of Limerick, being another corporation created and erected by the ſaid act, have raiſed a conſiderable ſum for the purpoſe of erecting an houſe of induſtry for the poor of the ſaid county, but have not yet expended any part thereof upon account of ſome doubts relative to the ſite of ſuch houſe of induſtry: and whereas it is judged by both the ſaid corporations, that by making ſome additions to the ſaid houſe of induſtry already erected it may be rendered ſufficient for the poor of both counties, by which, and by uniting the ſaid two corporations into one, much preſent and future expence may be ſaved: therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful to and for the ſaid preſident and aſſiſtants inſtituted for the relief of the poor, and for puniſhing vagabonds and ſturdy beggars for the county of Limerick, to lay out and expend ſuch ſums as have been already raiſed, and ſhall hereafter be raiſed, for ſuch purpoſes, in erecting ſuch additional or other buildings for an houſe of induſtry for the ſaid county of Limerick upon the ſaid lot of ground ſo belonging to the ſaid preſident and aſſiſtants for the relief of the poor, and for puniſhing vagabonds and ſturdy beggars, for the county of the city of Limerick, and in maintaining the poor therein, in the ſame manner as if the ſaid lot lay within the body of the ſaid county at large; and that the ſaid lot of ground ſhall be deemed and taken for all the purpoſes of the ſaid recited act within the ſaid county at large; and that the grand jury of the ſaid county of Limerick be impowered and required to preſent ſuch ſums, as may be neceſſary, for the erecting, maintaining, and ſupporting ſuch houſe of induſtry, in as full and ample a manner as if the ſaid lot of ground lay within the body of the county at large.

county corporation of *Limerick* may lay out money in buildings for an houſe of induſtry upon a lot belonging to the city corporation,

deemed for purpoſes of ſaid act within the county at large,

and county grand jury may preſent for ſuch houſe of induſtry.

II. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the above mentioned bodies corporate, if they ſhould think fit, by an inſtrument in writing under their reſpective corporation ſeals to unite themſelves into one corporation upon ſuch terms, as they ſhall judge proper for the common concerns of both; and ſuch united corporations ſhall from and after the execution of ſuch inſtrument of union be deemed and taken to be one corporation by the name and ſtile of

Said corporations may unite by writing under ſeals,

deemed one, named.

of the joint presidents and assistants for the county of Limerick, and county of the city of Limerick.

30 days notice thereof.

III. Provided always, that thirty days at the least previous notice be given in the publick news papers of the city of Limerick of the time and place of the meeting of the said corporations for the purpose of uniting themselves.

Each may act in respective jurisdictions.

IV. Provided always, that notwithstanding such union each of the said corporations may do any act, matter, or thing within their respective jurisdictions, as if this act had never been made; any thing herein to the contrary thereof in any wise notwithstanding.

A corporation erected for the town of *Colerain* for maintaining the poor,

V. And whereas the said act extends only to the creating of corporations for the purposes of the said act within counties at large, or in counties of cities, or counties of towns in this kingdom: and whereas the town of Colerain in the county of Londonderry is a populous town, and the said town and parishes thereof contain as many inhabitants as several of the cities or counties of towns in this kingdom, but not being a county within itself cannot have the benefit of the said law in as ample and full a manner, as is found necessary: and whereas the inhabitants of said town and parishes of Colerain have by voluntary subscriptions and contributions raised a sum of money for the support of the poor within the said town and parishes: and whereas the said inhabitants are desirous, that a body corporate should be formed, and to continue for ever, for the better carrying into execution under proper regulations the charitable and humane design of maintaining the poor of the said town and parishes: be it enacted by the authority aforesaid, that from and after the first day of May one thousand seven hundred and seventy six the mayor of the said town of Colerain for the time being, the representatives in parliament for the said town for the time being, the rectors of the parishes of Colerain and Killowen of said town, with the church-wardens of said parishes for the time being, the reverend William Smyth, Hugh Lyle esquire, Bartholomew Mc Naghten esquire, John and Charles Galt, Robert Gween senior, Robert and Thomas Rice, and Alexander Lawrence, and such persons as shall contribute to such charity as herein after mentioned, shall for ever hereafter be in name and fact one body corporate in law for the charitable purposes aforesaid, and shall have perpetual succession, and be called and distinguished by the name of the president and assistants of the Colerain charitable society; and that the mayor of said town for the time being, shall be and continue president during his mayoralty; and that the

named,

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said president and his assistants shall be enabled to plead and sue and to be impleaded and sued by that name in all his Majesty's courts of justice, and shall and may appoint a common seal or seals for the use of the said corporation, and shall have power and authority to meet together, as often as there shall be occasion; and the said president and his assistants, and their successors, or any five or more of them, being so assembled, shall have power to make such reasonable laws, rules, orders, and regulations for the better government of the poor and poor house, as they shall think necessary and convenient, and to revoke or alter the same at their discretion; and that it shall and may be lawful for the said president and assistants to make such and the like bye laws and regulations, and to exercise such and the like powers, with respect to the poor and all idle and sturdy beggars within the said town and parishes of Colerain and Killowen, as the corporations created by virtue of the said recited act within counties at large, and counties of cities, and counties of towns, are enabled to do.

may do all corporate acts,

with like powers as to the poor and beggars as county corporations by said act.

VI. And be it enacted by the authority aforesaid, that every person, who shall subscribe and pay the sum of one guinea to the said president and assistants of the Colerain Charitable Society for the support and maintenance of the poor of the said town, shall from thenceforth be and continue for the space of one entire year a member thereof to all intents and purposes as fully and effectually as any of the persons herein before named.

1 guinea subscribers members for 1 year.

VII. And be it enacted by the authority aforesaid, that the said corporation shall for the first time hold a meeting on the first day of May next in the market house of the said town of Colerain; and that it shall and may be lawful for them afterwards to meet at and adiourn to such times and places within the said town and parishes, as the president shall from time to time think fit to appoint by reasonable summons, and to adjourn such meeting from time to time, as the members then present or the greater part thereof shall see occasion; and in case the president shall not attend, that they shall and may have power to appoint such other member of their corporation to preside and act in his place and stead at such meeting, as they may judge proper.

To meet and adjourn as by president appointed on summons,

on his absence, to appoint a member.

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CHAP. XXXVI.

An act for continuing, amending, and making more effectual an act passed in the thirteenth year of the reign of his late Majesty king George the second, entitled, *An act for repairing the road leading from Timoho in the Queen's county through Ballynakill, Durrow, Beggars-Inn, and from thence through the city of Cashell to the town of Tipperary in the county of Tipperary.*

WHEREAS by an act passed in the thirteenth year of the reign of his late Majesty king George the second, entitled, *An act for repairing the road leading from Timoho in the Queen's county through Ballynakill, Durrow, Beggars-Inn, and from thence through the city of Cashell, to the town of Tipperary in the county of Tipperary*, several tolls and duties were granted and made payable for repairing the said road; which act was to commence from the second day of June in the year of our Lord one thousand seven hundred and forty, and from thence to continue in force for the term of forty one years: and whereas the trustees appointed to put the said act in execution considered the said road in two divisions, one called the Leinster division, and the other the Munster division, the whole containing in length upwards of forty miles, and borrowed several sums of money on the credits of the tolls and duties arising within each division only; which sums they laid out and expended in and towards the repair of that part of the said road, which is situate within the division, on the credits of the tolls whereof the said sums were respectively advanced and lent: and whereas the tolls and duties collected by the said act have proved insufficient to pay the sums so borrowed, or the interest thereof, and to keep the said road sufficiently repaired, and the length and extent of the said road cannot be effectually supported and kept in repair by the tolls and duties made payable by the said act: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the said act made in the thirteenth year of the reign of his late Majesty king George the second, and all and every the authorities, powers, articles, rules, penalties, and clauses therein contained, except what are hereby varied or altered, shall be of full force and effect, and shall continue and be

13 *G.* 2. c. 14. continued from 1st May 1776, 41 years, &c. save as altered.

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be executed from and after the first day of May in the year of our Lord one thousand seven hundred and seventy six for and during the further term of forty one years, and from thence to the end of the then next session of parliament, for the intents and purposes in the said act and hereafter mentioned, as if the same powers and authorities granted and given by the said act were herein again repeated and reenacted in the body of this present act; any thing in the said former act contained to the contrary notwithstanding.

II. And be it enacted by the authority aforesaid, that the persons herein after named, and those who shall be elected in their stead, according to the rules and orders in the said former act contained, and none other, shall be the trustees for putting the said former act and this present act in execution, (that is to say)

Trustees named.

for the Leinster division the right honourable Charles earl of Drogheda, the right honourable Robert earl of Roden, the right honourable Edmond lord viscount Mountgarret, the right honourable Thomas lord baron Knapton, the right honourable William lord viscount Ashbrooke, the right honourable John lord Dawson, the right reverend Josepn Dean lord bishop of Leighlin and Ferns, the right reverend William lord bishop of Ossory, sir Robert Staples, sir William Parker, sir Richard St. George, sir John Parnell, baronets, the several members of parliament for the Queen's county and county of Kilkenny for the time being, the members of parliament and chief magistrates of the borough of Ballynakill for the time being, the incumbents of the several parishes through which the Leinster division of the said road passes, for the time being, and their successors, the honourable Edmond Butler, the honourable John Dawson, Hunt Walsh, Philips Cosby, John Parnell, Robert Stubber, Thomas Pigott, John Lyon, John Hely, Garret Nevill, Hilliard Hely, Frederick Trench, John Barrington, Denny Baker Cuffe, John Brereton, Stephen Fitz Gerald, Richard Vicars, Robert Flood, Luke Flood, Edward Flood, Edmond Butler, captain Pierse Butler, Richard Philips of Philipsborough, John Warren, Henry Larieve, William Hanson, Robert Lawrenson, William Butler, and John Lawrenson, esquires, the reverend dean Walsh, the reverend doctor Henry Candler, the reverend doctor Arthur Jacob, the reverend Frederick French, the reverend Philip Walsh, the reverend Nicholas Foster, the reverend John Dalton Harwood, Michael Jacob, Henry Lewis, Hugh Bathorn, and John Elliot, gentlemen; and that the following persons and those who shall be elected in their stead, according to the rules and orders in the said

said former act contained and none other, shall be trustees for putting the said act and this present act in execution for the Munster division, (that is to say) the most reverend Michael lord archbishop of Cashel, the right honourable Stephen lord viscount Mount Cashell, the right honourable John lord viscount Clanwilliam, the right honourable Robert lord Kingsborough, the right honourable sir Thomas Maud, Baronet, the members of parliament for the county of Tipperary for the time being, the members of parliament and chief magistrate of the city of Cashell for the time being, the incumbents of the several parishes through which the said Munster division of said road passes, for the time being, and their successors, Francis Mathew, Henry Prittie, Cornelius O'Callahan, Richard Pennefeather senior, William Pennefeather, Richard Pennefeather junior, Wray Palliser, Mathew Jacob, John Power, John Bagwell, Stephen Moor of Marlfield, William Barton, John Lapp Judkin, Richard Butler, Hamilton Lowe, Daniel Gahan, Robert Bradshaw, Richard Underwood, Benjamin Lockwood, Samuel Allyn, Benjamin Bunbury, Thomas Bunbury, William Latham, Edward Moore, James Badham Thornhill, Francis Lodge, and William Baker esquires, the reverend John Lord, the reverend Lawrance Neligan, the reverend Richard Fitz Gerald, William Lockwood, Paul Phelan, Samuel Cooper, Thomas Surman, William Russell, James Russel, Robert Bradshaw of Alleen, Francis Weyland, Samuel Bradshaw, Thomas Lamphier, Richard Sadlier, and William Hamersly, gentlemen, and shall be invested with all the powers and authorities in the said former act and in this present act given and enacted to all intents and purposes.

Leinster division of the road,

III. And be it further enacted by the authority aforesaid, that that part of the said road, extending from Timohoe in the Queen's county through Ballynakill and Durrow to the bounds between the counties of Kilkenny and Tipperary shall hereafter be distinguished and known by the name of the Leinster division of the said road; and that that part of the said road, extending from the bounds between the said counties of Kilkenny and Tipperary through the city of Cashell to the town of Tipperary in the county of Tipperary shall hereafter be distinguished and known by the name of the Munster Division of the said road.

Munster division.

IV. And be it further enacted by the authority aforesaid, that the several tolls and duties granted by the said former act shall be collected and paid according to the directions of the said act until the first day of November one thousand seven hundred

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and seventy six; and that from and after the said first day of November one thousand seven hundred and seventy six for and during the continuance of the said former and this present act the trustees herein named, or any seven or more of them, or those by them authorized and appointed, shall and may take and receive the respective tolls and duties following, before any horse, mare, gelding, ass, or mule, cattle, coach, berlin, chariot, calash, chaise, chair, waggon, wain, cart, car, or other carriage shall be permitted to pass through the same; (that is to say) for every coach, berlin, chariot, calash, chaise or chair drawn by six or more horses, geldings, mares, or mules, the sum of two shillings and six pence; and for every coach, berlin, chariot, calash, chaise, or chair drawn by any number of horses, geldings, mares, or mules, less than six, and more than two, one shilling and and six pence; and for every coach, berlin, chariot, calash, chaise or chair drawn by two horses, geldings, mares, or mules, thirteen pence; and for every carriage, commonly called a chair or chaise, drawn by one horse, mare, gelding, or other beast six pence; and for every waggon, wain, cart, or carriage with four wheels, drawn by three or more horses or other beasts, two shillings; and for every waggon, wain, cart, or carriage with two wheels, drawn by more than two horses, mares, geldings, mules, or other beasts, one shilling and six pence; and for every cart, or other carriage with two wheels, and drawn by two horses, mares, geldings, mules, or other beasts, six pence; and for every car, or other carriage drawn by one horse, mare, gelding, or other beast, two pence; (excepting carrs laden with turf, and for each and every of them, one penny) and for every horse, mare, gelding, mule, or ass, laden or unladen, and not drawing, one penny halfpenny; and for every drove of oxen or neat cattle, one shilling and eight pence by the score, and so in proportion for any greater or lesser number; and for every drove of calves, hogs, sheep, or lambs, ten pence by the score, and so in proportion for any greater or lesser number; and for every carriage, whereon shall be carried or borne any millstone or millstones, five shillings; which said respective sum and sums of money shall be demanded and taken in the name of or as a toll or tolls; and the money thereby to be raised and collected is and shall be vested in the said trustees, subject and liable to the payment of the debts now due to the creditors of the said road, which said debts are hereby made a charge upon the said tolls in manner hereafter mentioned (that is to say) that the tolls arising and to arise or be collected

The toll,

vested in trustees, subject to debts,

collected on the Leinſter diviſion of the ſaid road ſhall be applied and diſpoſed of for carrying this act into execution, and for keeping in repair that diviſion of ſaid road, and for payment of the ſums heretofore borrowed and which ſhall be hereafter borrowed on the credit of the tolls of that diviſion of the ſaid road only, and the intereſt due and to grow due for the ſame; and the tolls ariſing and to ariſe or be collected on the Munſter diviſion of the ſaid road ſhall be applied and diſpoſed of for carrying this act into execution, and for keeping in repair that diviſion of the ſaid road, and for the payment of the ſums heretofore borrowed, and which ſhall be hereafter borrowed, on the credit of the tolls of that diviſion of the ſaid road only, and the intereſt due and to grow due for the ſame.

applied in each diviſion.

V. And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall be obliged to pay any of the tolls herein before mentioned more than once in the ſame day within either of the diviſions of the ſaid road; but every perſon having paid the toll or duty hereby impoſed at any one of the gates, erected or to be erected on the ſaid road between Timahoe in the Queen's county through Ballynakill and Durrow, and the bounds between the counties of Kilkenny and Tipperary, on producing a note or ticket thereof (which the receiver or receivers of the ſaid tolls are hereby required to give without fee or reward) ſhall be permitted to paſs free through all the ſeveral gates on the ſaid diviſion at any time during the day in which he has, paid the ſaid toll as aforeſaid; and ſo in like manner having once paid the ſaid toll at any one of the gates on the ſaid other diviſion of the ſaid road between the bounds of the ſaid counties of Kilkenny and Tipperary through the city of Caſhell to the town of Tipperary in the county of Tipperary, ſhall, on producing ſuch ticket or note thereof, be admitted at any time during the ſaid day to paſs through the other gates of the ſaid diviſion of the ſaid road; but it is the true intention and meaning of this act, that every perſon ſhall pay twice on the ſame day, in caſe he ſhall travel over more of the ſaid road, than is contained in one diviſion of the ſame.

Toll but once a day on each diviſion.

VI. Provided, and it is hereby declared, that no perſon ſhall be charged with any of the tolls or duties aforeſaid on paſſing through any of the turnpike gates on either diviſion, who ſhall carry any ſtones, gravel, or other materials for repairing the ſaid roads,

Exempt from toll.

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roads, or any of the roads in the parishes, in which the same do lie; nor shall any person be chargeable with the said toll or duty for any cars, carts, or waggons, laden with corn in the straw only, nor for any plows, harrows, or other implements of husbandry, in order to the using and repairing the same in the several parishes, in which the said road does lie; nor for any horse or any other cattle going to water, nor for any post horse carrying the mail or packet, nor for such horse as shall be used only to ride on by the owner or driver of any waggon, cart, or carriage, provided such horse pass through the said turnpike with such waggon, cart, or carriage; nor shall any toll be taken for the horses of soldiers passing that are upon their march, or for waggons, carts, cars, or other carriages attending them, or for the horses, cars, or other carriages travelling with vagrants sent by passes, or with prisoners transmitted from one part of the kingdom to another.

Clerk's salary not under 10l. nor above 20l. a year.

VII. And be it further enacted by the authority aforesaid, that the salary or wages of the clerk or receiver, to be appointed by the said trustees of each division for carrying the said former and this act into execution, shall not be less than ten pounds nor exceed the sum of twenty pounds yearly.

A publick act.

VIII. And be it further enacted by the authority aforesaid, that this act shall be deemed, adjudged, and taken to be a publick act, and shall be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially pleading the same.

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CHAP. XXXVII.

An act for continuing an act passed in the seventh year of the reign of his late Majesty King George the second, entitled, *An act for making more effectual an act passed in the third year of the reign of his present Majesty king George the second,* intituled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the said town of Navan to the town of Nobber in the said county; as also for repairing the road leading from the said town of Navan to the town of Kells in the said county.*

WHEREAS by an act of parliament passed in the third year of the reign of his late Majesty king George the second, intitled, *An act for repairing the road leading from the city of Dublin to the Town of Navan in the county of Meath,* it was provided amongst other things, that the tolls and duties thereby granted should take place and have continuance only from and after the tenth day of May in the year of our Lord one thousand seven hundred and thirty for and during the term of twenty one years: and whereas by another act of parliament passed in the seventh year of the reign of his said late Majesty king George the second, entitled, *An act for making more effectual an act passed in the third year of the reign of his present Majesty king George the second,* intituled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the said town of Navan to the town of Nobber in the said county, as also for repairing the road leading from the said town of Navan to the town of Kells in the said county,* it was among other things enacted, that the said act made in the third year of his said late Majesty's reign, and all and every the powers, authorities, articles, rules, penalties, and clauses therein contained, (except what were thereby altered) should be of full force and effect, and should continue and be executed, from and after the expiration of the said term for and during the further term of twenty four years, and from thence to the end of the then next session of parliament: and whereas the said act will expire at the end of this present session of parliament: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the said last mentioned act and the said former act,

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roads, or any of the roads in the pariſhes, in which the ſame do lie; nor ſhall any perſon be chargeable with the ſaid toll or duty for any cars, carts, or waggons, laden with corn in the ſtraw only, nor for any plows, harrows, or other implements of huſbandry, in order to the uſing and repairing the ſame in the ſeveral pariſhes, in which the ſaid road does lie; nor for any horſe or any other cattle going to water, nor for any poſt horſe carrying the mail or packet, nor for ſuch horſe as ſhall be uſed only to ride on by the owner or driver of any waggon, cart, or carriage, provided ſuch horſe paſs through the ſaid turnpike with ſuch waggon, cart, or carriage; nor ſhall any toll be taken for the horſes of ſoldiers paſſing that are upon their march, or for waggons, carts, cars, or other carriages attending them, or for the horſes, cars, or other carriages travelling with vagrants ſent by paſſes, or with priſoners tranſmitted from one part of the kingdom to another.

Clerk's ſalary not under 10l. nor above 20l. a year.

VII. And be it further enacted by the authority aforeſaid, that the ſalary or wages of the clerk or receiver, to be appointed by the ſaid truſtees of each diviſion for carrying the ſaid former and this act into execution, ſhall not be leſs than ten pounds nor exceed the ſum of twenty pounds yearly.

A publick act.

VIII. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and ſhall be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

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CHAP. XXXVII.

An act for continuing an act passed in the seventh year of the reign of his late Majesty King George the second, entitled, *An act for making more effectual an act passed in the third year of the reign of his present Majesty king George the second,* intituled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the said town of Navan to the town of Nobber in the said county; as also for repairing the road leading from the said town of Navan to the town of Kells in the said county.*

WHEREAS by an act of parliament passed in the third year of the reign of his late Majesty king George the second, intitled, *An act for repairing the road leading from the city of Dublin to the Town of Navan in the county of Meath,* it was provided amongst other things, that the tolls and duties thereby granted should take place and have continuance only from and after the tenth day of May in the year of our Lord one thousand seven hundred and thirty for and during the term of twenty one years: and whereas by another act of parliament passed in the seventh year of the reign of his said late Majesty king George the second, entitled, *An act for making more effectual an act passed in the third year of the reign of his present Majesty king George the second,* intituled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the said town of Navan to the town of Nobber in the said county, as also for repairing the road leading from the said town of Navan to the town of Kells in the said county,* it was among other things enacted, that the said act made in the third year of his said late Majesty's reign, and all and every the powers, authorities, articles, rules, penalties, and clauses therein contained, (except what were thereby altered) should be of full force and effect, and should continue and be executed, from and after the expiration of the said term for and during the further term of twenty four years, and from thence to the end of the then next session of parliament: and whereas the said act will expire at the end of this present session of parliament: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the said last mentioned act and the said former act,

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7 G. 2. c. 22. & 3 G. 2. c. 19. as amended, continued further 2 years, &c. 1 year and to end of next enſuing ſeſſion by 17 & 18 G. 3. c. 37. and 31 years, &c. as to the road from Dublin to Navan by 19 & 20 G. 3. c. 43. ſ. 2. & 21.

as the ſame is thereby amended, altered, and confirmed, and all and every the authorities, powers, articles, rules, penalties, and clauſes therein contained, ſhall be of full force and effect, and ſhall continue and be executed from and after the expiration of the ſaid terms of twenty one years and twenty four years for and during the further term of two years, and from thence to the end of the then next ſeſſion of parliament, for the intents and purpoſes in the ſaid act mentioned, as if the ſame powers and authorities granted and given by the ſaid act were herein again repeated and re-enacted in the body of this preſent act; any thing contained in the ſaid act of the ſeventh year of the reign of his ſaid late Majeſty king George the ſecond to the contrary notwithſtanding.

CHAP. XXXVIII.

An act for confirming and eſtabliſhing an agreement made between the ſurviving truſtees named in or elected and appointed purſuant to the laſt will and codicil of George Vaughan, eſquire, deceaſed, and the ſurviving deviſees named in the ſaid will, concerning the real and perſonal eſtates whereof the ſaid George Vaughan died ſeized or poſſeſſed, and for making the ſaid agreement effectual, and for incorporating the ſaid truſtees for the better execution of ſuch of the charities appointed by the ſaid will, as can be maintained, and for other purpoſes.

Recital, will of *George Vaughan* 23 June 1753.

WHEREAS George Vaughan of Buncranagh in the county of Donegall, eſquire, deceaſed, was in and before the year one thouſand ſeven hundred and fifty three ſeized in fee ſimple of and in the manor, towns, lands, fee farm rents, tenements, and hereditaments herein after mentioned, and poſſeſſed of a conſiderable perſonal eſtate and leaſehold intereſts; and being ſo ſeized and poſſeſſed did duly make and publiſh his laſt will and teſtament, atteſted according to the form of the ſtatute for deviſing real eſtates, bearing date on or about the twenty third day of June in the year one thouſand ſeven hundred and fifty three, and did therein and thereby give, deviſe, and bequeath all his eſtate in the county of Fermanagh, and all other his lands of inheritance, freehold leaſes, and leaſes for years, unto the moſt reverend father in God George, then archbiſhop of Armagh, the right reverend William then lord biſhop of Derry, and his ſucceſſors,

ceſſors, the right reverend Robert then lord biſhop of Clogher, and his ſucceſſors, the right reverend Robert then lord biſhop of Raphoe, and his ſucceſſors, the right reverend Edward then lord biſhop of Elphin, ſince deceaſed, the right reverend Joſeph then lord biſhop of Kilmore, ſince deceaſed, the right reverend Henry then lord biſhop of Meath, ſince deceaſed, the right honourable St. George Caulfield then lord chief juſtice of his Majeſty's court of king's bench in Ireland, the right honourable Henry Singleton then lord chief juſtice of his Majeſty's court of common pleas in Ireland, ſince deceaſed, the reverend Thomas Bernard, clerk, then rector of Maghera, and now dean of Derry, the reverend Mr. Goulding, clerk, archdeacon of the dioceſe of Derry, the reverend Richard Leſlie of Londonderry, Anthony Foſter of the city of Dublin, eſquire, now the right honourable Anthony Foſter lord chief baron of his Majeſty's court of exchequer in Ireland, and Andrew Knox of Prehen in the county of Londonderry, eſquire, ſince deceaſed, their heirs, executors, adminiſtrators, and aſſigns for ever, upon the ſeveral truſts, intents, and purpoſes therein mentioned and appointed; that is to ſay, that the ſaid truſtees and ſuch other perſon and perſons as ſhould from time to time ſucceed in the ſaid truſt purſuant to a clauſe for that purpoſe contained in the ſaid will, do and ſhall in the firſt place lay out and apply the yearly ſum of two thouſand pounds ſterling in the manner therein and herein after mentioned; and upon further truſt that the ſaid truſtees out of the reſidue of the yearly rents, iſſues, and profits of the real eſtate and leaſehold intereſts deviſed and bequeathed to them as aforeſaid do and ſhall pay all chief rents and other rents, that the ſame ſtand chargeable with, and all fines for renewal, and the reſidue thereof, to Alice Vaughan his wife for her life, provided ſhe ſhould ſo long continue a widow, and after her death or marriage to Baſil Brooke his nephew, and one of his coheirs for life, and after his death to Guſtavus Brooke his nephew for life, and after his death to Henry Harte his nephew and one other of his coheirs for life, and after his death to William Newburgh his couſin for life, and after his death to Arthur Newburgh his couſin for life, and after his death to the heirs male of the ſurvivor of them the ſaid Baſill Brook, Guſtavus Brooke, Henry Harte, William Newburgh and Arthur Newburgh, and for default of iſſue male of ſuch ſurvivor then to the heirs male of the ſaid Baſill Brooke, remainder to the heirs male of the ſaid Guſtavus Brooke, remainder to the heirs male of

the

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the ſaid Henry Harte, remainder to the heirs male of the ſaid William Newburgh, remainder to the heirs male of the ſaid Arthur Newburgh, remainder to the incorporated ſociety for promoting Engliſh proteſtant ſchools; and the ſaid George Vaughan in and by his ſaid will did direct, that the ſaid yearly ſum of two thouſand pounds ſterling ſhould be applied in manner following; that is to ſay, firſt to the payment of his debts, then to the payment of annuities and pecuniary legacies bequeathed by his will, and then in the purchaſe of lands of inheritance in fee ſimple until ſuch lands ſo to be purchaſed, together with his fee ſimple eſtate thereby deviſed, ſhould amount to the clear yearly value of four thouſand pounds ſterling; and the ſaid George Vaughan in and by his ſaid will did further direct, that when and ſo ſoon as ſuch purchaſes ſhould be compleated, that his truſtees ſhould ſet apart the ſaid eſtate in the county of Fermanagh, and ſo much of the other fee ſimple eſtates in the county of Donegall, and leaſehold intereſts, and of the lands to be purchaſed as aforeſaid, as ſhould make up and amount to the clear yearly value of two thouſand pounds ſterling, and be beſt circumſtanced, and moſt fit to anſwer the charitable purpoſes in the ſaid will and herein mentioned, and the reſidue thereof amounting, according to the intention of the teſtator expreſſed in his ſaid will, to one other yearly ſum of two thouſand pounds ſterling, to be ſettled by his truſtees, upon and to the uſe of the ſaid Alice Vaughan during her life or widowhood, remainder to the ſaid Baſill Brooke for life, remainder to the ſaid Guſtavus Brooke for life, remainder to the ſaid Henry Harte for life, remainder to the ſaid William Newburgh for life, remainder to the ſaid Arthur Newburgh for life, remainder to the heirs male of the ſurvivor of them the ſaid Baſill Brooke, Guſtavus Brooke, Henry Harte, William Newburgh, and Arthur Newburgh, and for default of iſſue male of ſuch ſurvivor then to the heirs male of the ſaid Baſill Brooke, remainder to the heirs male of the ſaid Guſtavus Brooke, remainder to the heirs male of the ſaid Henry Harte, remainder to the heirs male of the ſaid William Newburgh, remainder to the heirs male of the ſaid Arthur Newburgh, remainder to the incorporated ſociety for promoting Engliſh proteſtant ſchools; and the ſaid George Vaughan in and by his ſaid will did give and bequeath all ſuch debts and arrears of rent (except a bequeſt to his poor tenants out of the arrears of rent) as ſhould be due to him at the time of his death; and all his plate, furniture, ſtock of cattle, and all other his perſonal eſtate

eſtate (his leaſes only excepted) to the ſaid Alice Vaughan, clear and diſcharged from the payment of any of his debts or legacies, ſhe, on a ſchedule or inventory being taken thereof, giving ſecurity for equal value being forth coming at her deceaſe for the uſes of his will in general, and more particularly as a fund for building a church and charter ſchool as in the ſaid will is mentioned; and the ſaid George Vaughan in and by his ſaid will did direct and appoint, that after compleating ſuch purchaſes as aforeſaid the ſaid yearly ſum of two thouſand pounds ſterling intended for charitable uſes ſhould be applied in manner following; that is to ſay, that his truſtees ſhould in the firſt place by, with, and out of the yearly rents and profits thereof make and erect on ſuch place, and according to ſuch plan or model, as he by writing under his hand and ſeal (which writing the ſaid teſtator omitted to leave behind him) ſhould direct and appoint, one or more good and ſubſtantial building or buildings ſufficient to receive and lodge three hundred boys, and two hundred girls, together with proper ſchool rooms, work-houſes, and apartments for the ſeveral maſters and miſtreſſes that ſhall from time to time have the care and inſtruction of ſuch boys and girls, together with all proper outhouſes; ſuch buildings to be called and known by the name of the charitable charter ſchool, erected and endowed by the laſt will and teſtament of George Vaughan, eſquire; and in the next place make and erect a church, and encloſe a church yard, on ſuch place and according to ſuch plan or model as he ſhould direct and appoint; and in caſe he ſhould die without making any ſuch appointment (which event has happened) then that ſuch buildings, church, and church yard ſhould be made on ſuch part of the ſaid eſtate in the county of Fermanagh, and after ſuch form and manner, as the ſaid truſtees ſhall direct and appoint; and after ſuch buildings ſhould be made and erected, the ſaid George Vaughan in and by his ſaid will did direct and appoint, that the ſaid yearly ſum of two thouſand pounds ſterling ſhould be employed in ſuch manner and under ſuch regulations and reſtrictions, as he by writing under his hand for that purpoſe ſhould direct and appoint; and in caſe he ſhould die without making ſuch direction or appointment (which event has happened) then in maintaining, bringing up, educating, and inſtructing three hundred boys and two hundred girls in the ſaid ſchool in the ſeveral branches of the linen manufactory and huſbandry therein mentioned, in ſuch manner as the ſaid truſtees ſhall from time to time think moſt fit, convenient, and uſeful for the ſupport, maintenance, and inſtruction of ſuch

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boys and girls, as shall from time to time be admitted or received into the said school; and the said George Vaughan in and by his said will did direct and appoint, that when and so often as his trustees by death or otherwise should be reduced to the number nine, then they, and the survivors and survivor of them, should elect and make choice of so many and such other fit and proper persons to be trustees together with the then remaining trustees, as shall compleat and make up the number thirteen at most, and that reasonable notice of all meetings in order to the transacting of any business of weight or moment relating to the said trusts shall be given to the several trustees for the time being; and that the said trustees shall have power to make leases for three lives or thirty one years, and of renewing leases for ever, under the restrictions in the said will mentioned; and the said testator did give and bequeath some pecuniary legacies, and did direct, that the same should not be paid or bear interest,

executors in said will,

until his debts should be first paid, and did appoint his wife his executrix, and in case she should die before him, he did appoint the said Andrew Knox, William Lenox of the city of Dublin, esquire, the reverend Mr. Goulding, clerk, archdeacon of the diocese of Derry, and the reverend Richard Leslie late curate of the parish of Fahan in the county of Donegall, clerk, executors of his said last will and testament; and the said George Vaughan,

codicil 18 Sept. 1758,

on or about the eighteenth day of September in the year one thousand seven hundred and fifty eight made a codicil to his said will, and thereby did direct his trustees to permit his niece Mary Sampson to have and take the issues and profits arising from a leasehold interest, which he held under the see of Derry (except a part thereof therein excepted) and did revoke some of the pecuniary legacies bequeathed by his said will, and did bequeath some other pecuniary legacies, and did revoke the appointment of the

executors in codicil,

said William Lenox and archdeacon Edward Goulding as his trustees and executors, and did appoint the reverend doctor Edward Ledwich, now dean of Kildare, as a trustee and executor of his last will and testament in their place: and whereas the

death of *Geo. Vaughan* 5 April 1763,

said Alice Vaughan and Arthur Newburgh died in the lifetime of the said George Vaughan, and the said George Vaughan died on or about the fifth day of April in the year one thousand seven hundred and sixty three without issue, and without revoking or altering his said will and codicil, or either of them: and

executors renouncing,

whereas the executors named and appointed in and by the said last will and testament and codicil of the said George Vaughan did by writing under their hands seals renounce the execution

thereof,

thereof, and refuſe to take the probate thereof, and thereupon adminiſtration under the ſeal of his Majeſty's court of prerogative in Ireland of the goods and chattles, rights and credits, of the ſaid George Vaughan, was granted and committed to the ſaid Baſil Brooke; and the ſaid Baſill Brooke having died on or about the fifth day of January in the year one thouſand ſeven hundred and ſixty eight, thereupon adminiſtration of the goods and chattles, rights, and credits, which were of the ſaid George Vaughan at the time of his death unadminiſtered by the ſaid Baſill Brooke deceaſed, with the will and codicil of the ſaid George Vaughan annexed, was granted under the ſeal of the ſaid court of prerogative unto the ſaid Guſtavus Brooke: and whereas the real and leaſehold intereſts of the ſaid George Vaughan at the time of making his ſaid will did produce a clear yearly income of two thouſand three hundred and fifteen pounds ſterling or thereabouts, and did afterwards in his lifetime produce a greater yearly income; and the ſaid George Vaughan did expreſsly deviſe the ſurplus thereof over and above the yearly ſum of two thouſand pounds ſterling to his wife and other relations as aforeſaid, and moſt probably did apprehend ſuch ſurplus to be of conſiderable yearly value; but the ſaid George Vaughan, having by his codicil otherwiſe diſpoſed of his leaſehold intereſt under the ſee of Derry, and his other leaſehold intereſts having expired in or about the year one thouſand ſeven hundred and ſeventy, nothing now remains to anſwer the charitable deviſes in the ſaid will of the ſaid George Vaughan, or the proviſion which he did intend to make for his relations and deviſees, ſave only his real eſtates in the counties of Fermanagh and Donegall, which in the whole are of the clear yearly value of one thouſand two hundred and eighty four pounds fifteen ſhillings ſterling, or thereabouts, and no more, and are totally inſufficient to enable the ſaid truſtees within any reaſonable period of time to purchaſe as much lands of inheritance, as together with the ſaid eſtates in the counties of Fermanagh and Donegall ſhall be ſufficient to produce a yearly income of four thouſand pounds ſterling; and until ſuch purchaſes ſhall be made, no part of the charitable purpoſes intended by the ſaid George Vaughan can take effect in poſſeſſion, neither can any benefit ever ariſe to the deviſees for life named in the will of the ſaid George Vaughan; and it will be more for the advantage as well of the charity as of the relations and deviſees of the ſaid George Vaughan to divide the ſaid eſtate between them, ſo as that the ſeveral parties intereſted may enjoy an immediate benefit therefrom,

adminiſtration to *Baſill Brooke*, death of *Baſill* 5 Jan. 1768, adminiſtration with will annexed to *Guſtavus Brooke*,

the remainder of the eſtate inſufficient to enable the truſtees in a reaſonable time to purchaſe 400l. a year, till when no part of the charity intended can take effect, nor any benefit to the deviſees for life,

more advantageous to enjoy an immediate benefit,

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from, than to wait for an event so very remote as compleating the purchases directed by the said will of the said George Vaughan: and whereas an agreement has been made between the most reverend father in God Richard lord archbishop of Armagh, primate and metropolitan of all Ireland, the right reverend and right honourable Frederick lord bishop of Derry, the right reverend John lord bishop of Clogher, the right reverend John lord bishop of Raphoe, the right honourable Saint George Caulfield, the reverend Thomas Barnard doctor in divinity and dean of Derry, the reverend Richard Leslie clerk, the right honourable Anthony Foster lord chief baron of his Majesty's court of exchequer in Ireland, the reverend Edward Ledwich, doctor of laws, dean of Kildare, the honourable William Scott, esquire, second baron of the said court of exchequer, the reverend Richard Woodward, doctor of laws, dean of Clogher, and the right honourable sir Arthur Brooke baronet, trustees appointed by or elected pursuant to the last will and codicil of the said George Vaughan, and the said Gustavus Brooke, one of the nephews and devisees of the said George Vaughan, and administrator of all and singular the goods and chattles, rights and credits, which were of the said George Vaughan at the time of his death unadministered by Basill Brooke, esquire, deceased, with the will and codicil of the said George Vaughan annexed, the said Henry Harte, William Newburgh, and Henry Vaughan Brooke, esquire, eldest son and heir at law of the said Basill Brooke, that all that and those the towns, lands, fee farm rents, tenements, and hereditaments, herein after particularly mentioned and described, now of the clear yearly value of six hundred and forty five pounds eight shillings and eight pence sterling, or thereabouts, being one moiety of the real estate of the said George Vaughan, subject to one moiety of the crown rent payable out of the manor of Castlehasset in the county of Fermanagh to his Majesty, his heirs and successors; and also one moiety of all such part of the said two thousand pounds a year, as has been received out of the testator's estate and leasehold interests, and also one moiety of all the rents that have been received out of the testator's real estate since the expiration of his leases to and for the first day of November in the year one thousand seven hundred and seventy five, and of all arrears of rent that did remain due and unpaid on the said first day of November inclusive, and of all the personal estate of the said testator now remaining in the hands of the said Gustavus Brooke his administrator, or standing out on securities, save and except one bond executed

agreement between trustees in the will and devisees,

ecuted by the honourable John Chicheſter, eſquire, deceaſed, to the ſaid George Vaughan, and conditioned for the performance of covenants, and of a judgment obtained thereon; and alſo ſave and except any benefit or advantage that may ariſe from the teſtator's ſaid leaſe under the ſee of Derry, ſhall be and remain veſted in the ſaid truſtees and their ſucceſſors to and for the uſe of the charity intended by the ſaid George Vaughan: and further that all that and thoſe the towns, lands, fee farm rents, tenements, and hereditaments, herein after particularly mentioned, now of the clear yearly value of ſix hundred and thirty nine pounds ſix ſhillings and three pence halfpenny ſterling, or thereabouts, and all other the reſt and reſidue of the ſaid teſtator's real and freehold eſtates, and alſo the teſtator's perſonal eſtate and intereſt in the towns and lands of Maſhill and Tyroneil in the county of Donegall, and alſo the other moiety of all ſuch part of the ſaid two thouſand pounds a year, as has been received out of the teſtator's eſtate and leaſehold intereſts, and alſo the other moiety of all the rents that have been received out of the teſtator's real eſtate ſince the expiration of his leaſehold intereſts to and for the firſt day of November in the year one thouſand ſeven hundred and ſeventy five inclufive, and of all arrears of rent that did remain due and unpaid on the ſaid firſt day of November inclufive, and of all the perſonal eſtate of the ſaid teſtator now remaining in the hands of the ſaid Guſtavus Brooke, or ſtanding out upon ſecurities, and all benefit and advantage that may ariſe from the ſaid judgment obtained by the teſtator againſt the ſaid John Chicheſter, or from the teſtator's ſaid leaſe under the ſee of Derry, ſubject to one moiety of the crown rent of the ſaid manor of Caſtlehaſſet, and to all other rent reſerved and payable out of the teſtator's real and perſonal eſtate in the county of Donegall, ſhall be and remain veſted in the ſaid Henry Vaughan Brooke, his heirs, executors, adminiſtrators, and aſſigns, but nevertheleſs as to the ſaid towns, lands and premiſſes laſt mentioned to ſuch uſes as are herein after mentioned concerning the ſame; and as to the ſaid perſonal eſtate in truſt for the ſaid Guſtavus Brooke, Henry Harte, William Newburgh, and Henry Vaughan Brooke, their executors, adminiſtrators and aſſigns, in manner herein after mentioned; and likewiſe that all woods and plantations now ſtanding on the ſaid eſtate in the county of Fermanagh ſhall be ſold with all convenient ſpeed; and that one moiety of the money ariſing from ſuch ſale be paid to the ſaid truſtees, or their aſſigns, and the

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other moiety thereof to the ſaid Henry Vaughan Brooke, his executors and adminiſtrators, upon the truſts aforeſaid; and that one moiety of all ſuch debts and legacies of the ſaid teſtator, as yet remain due and unpaid, ſhall be paid by the ſaid truſtees, and the other moiety thereof by the ſaid Henry Vaughan Brooke, and laſtly, that application ſhould be forthwith made for an act of parliament to enable the ſaid parties to carry the ſaid agreement into compleat execution, and for ſuch other purpoſes as may be thought neceſſary; and that one moiety of all coſts and expences that may attend the ſame, and the recovery of the debts due to the teſtator, and of the arrears of rent due out of his ſeveral eſtates, and of all other expences attending the teſtator's affairs until the obtaining of ſuch act of parliament, ſhall be paid and defrayed by the ſaid truſtees out of their ſhare of the teſtator's fortune, and the other moiety thereof by the ſaid Henry Vaughan Brooke.

approved by the ſociety for *Engliſh* proteſtant ſchools,

And whereas by a deed poll, bearing date on or about the ſeventeenth day of February in the year one thouſand ſeven hundred and ſeventy ſix the ſaid incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools did ſignify their approbation of the aforeſaid agreement, and did declare their conſent, that application be made for an act of parliament to enable the ſaid parties to the ſaid articles to carry the ſaid agreement into compleat execution: and whereas the ſaid agreement is manifeſtly advantageous to all parties claiming under the ſaid laſt will and codicil of the ſaid George Vaughan, and fit to be carried into execution, but the ſame cannot be effectually done without the aid of parliament: and whereas it may tend to promote the due execution of ſo much of the charitable ſcheme of the ſaid George Vaughan, as the fund now remaining for that purpoſe ſhall be ſufficient to anſwer, that the ſaid truſtees, and the reverend Howard Saint George clerk, rector of the pariſh of Magherahculmony and Drumkieran in the county of Fermanagh, and the rectors of Drumkieran for the time being, be conſtituted a corporation to carry into execution and continue the ſaid charitable ſcheme for ever; therefore at the humble petition and requeſt of his grace the ſaid lord primate of all Ireland, Frederick lord biſhop of Derry, John lord biſhop of Clogher, John lord biſhop of Raphoe, Saint George Caulfield, Richard Leſlie, Anthony Foſter lord chief baron of the court of exchequer, Edward Ledwich dean of Kildare, William Scott ſecond baron of the ſaid court, Richard Woodward dean of Clogher, and ſir Ar-

advantageous to all parties, but not to be effectually executed without aid of parliament,

thur Brooke, and Howard Saint George, and the rector of the parish of Drumkieran, for the time being, trustees appointed by or elected pursuant to the last will and codicil of the said George Vaughan, Gustavus Brook, Henry Harte, and Henry Vaughan Brooke, and by and with the consent of the said incorporated society, be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from henceforth there be and shall be a corporation to continue for ever for the execution of the charitable scheme in the said last will and testament of the said George Vaughan, so far forth as the fund hereby vested in such corporation shall be sufficient to answer the same; which corporation shall for ever hereafter be called and known by the name of the governors of the charitable charter school erected and endowed by the last will and testament of George Vaughan esquire, and shall consist of the several persons herein after named, that is to say, his grace the lord archbishop of Armagh primate of all Ireland for the time being, the lord bishop of Derry for the time being, the lord bishop of Clogher for the time being, the lord bishop of Raphoe for the time being, the said Saint George Caulfield, Thomas Barnard, Richard Leslie, Anthony Foster, Edward Ledwich, William Scott, Richard Woodward, sir Arthur Brooke, Howard Saint George, and the rector of Drumkieran for the time being.

a corporation for executing the charitable scheme in said will,

named, governors of the charitable charter school in said will.

II. Be it enacted by the authority aforesaid, that all that and those the towns, lands, fee farm rents, tenements, and hereditaments following, that is to say, all that and those the towns and lands of Creveniſh, Kamplony otherwise Camploony, and two orchards adjoining thereto, Caddy otherwise Keily otherwise Kedagh, Maveſhill, Rabbitt Isle otherwise Rabbitt Island, Cornacrea otherwise Cornecrea, Lissingle, Drimchunny otherwise Drimhuny otherwise Drumchunny, Roscah otherwise Rosca, Letterkeen, Muckrush otherwise Muckerose, Muckrush-point and Drumrush, and the tenements in the town of Cash otherwise Kesh, and the mill, and the mill tenements and customs of the said town of Cash otherwise Kesh, Drimcluna otherwise Drumcluna, Portnode otherwise Portanode, Ilanesty otherwise Island-East, Hare-Island otherwise Hair-Island, East and West Dura otherwise Durah otherwise called Little and Big Dura otherwise Durah, Feddans, Drimchurrin otherwise Drumhurrin otherwise Drimhurrin, Letterbooy otherwise Letterboy, Crullan otherwise Crillan,

Estates vested in them for that purpose.

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Crillan, and Tibrit otherwiſe Tiberud otherwiſe Tibrid, Clooncagh otherwiſe Cloncah otherwiſe Rock of Cloncah, and alſo one yearly fee farm rent of four pounds twelve ſhillings ſterling charged and chargeable upon all that and thoſe the town and lands of Clarevie, the little iſland belonging to Clareview, and the bar of Drimmore otherwiſe Dromore otherwiſe Drummore, and alſo one other yearly fee farm rent of eight pounds five ſhillings ſterling, charged and chargeable upon all that and thoſe the town and lands of Roſcolbon otherwiſe Roſcolban; and alſo one other yearly fee farm rent of one pound and four pence ſterling, charged and chargeable upon all that and thoſe the town and lands of Drumnarallagh otherwiſe Drumarollagh, with all and every their rights, members, ſubdenominations, and appurtenances, by whatſoever name or names, deſcription or deſcriptions, the ſame or any of them, is or are or hath or have been called, known, or diſtinguiſhed; all which ſaid towns and lands are diſtinguiſhed upon the map or ſurvey thereof annexed to the ſaid recited articles of the ſixteenth day of February one thouſand ſeven hundred and ſeventy ſix by the name of the Weſtern diviſion, and are part and parcel of the ſaid manor of Caſtlehaſſett, and are ſituate, lying, and being in the county of Fermanagh, ſubject however to the payment of one moiety of the crown rent payable out of the ſaid manor to his Majeſty, his heirs and ſucceſſors for ever; and alſo all that and thoſe one full and equal moiety of all ſuch part of the ſaid yearly ſum of two thouſand pounds ſterling as hath been received out of the real and leaſehold eſtates and intereſts of the ſaid George Vaughan; and alſo one full and equal moiety of all the rents that have been received out of the ſaid real eſtate of the ſaid George Vaughan ſince the expiration of his leaſes to and for the firſt day of November in the year one thouſand ſeven hundred and ſeventy five incluſive, and of all arrears of rent that did remain due and unpaid on the ſaid firſt day of November incluſive, and of all the perſonal eſtate of the ſaid George Vaughan which remains in the hands of the ſaid Guſtavus Brooke, or outſtanding upon ſecurities, ſave and except the ſaid bond executed by the ſaid John Chicheſter, and the judgment obtained thereon by the ſaid George Vaughan, and ſave and except the ſaid leaſehold intereſt held by the ſaid George Vaughan under the ſee of Derry, ſubject however to the payment of one moiety of all ſuch debts and legacies of the ſaid George Vaughan, as the ſame were or are ſubject to, and alſo to the payment of one moiety of all the coſts and expences

pences that have attended or ſhall or may attend the ſuing for and recovering the debts due to the ſaid George Vaughan, and the ſaid arrears of rent, or any of them, or the management of the ſaid teſtator's affairs, and of obtaining this act of parliament, until the ſame ſhall paſs into a law, be and the ſame are from the firſt day of November in the year one thouſand ſeven hundred and ſeventy five hereby veſted in and ſettled upon the ſaid governors of the charitable charter ſchool, erected and endowed by the laſt will and teſtament of George Vaughan eſquire, and and their ſucceſſors for ever, freed and diſcharged of and from all and every the eſtates, entails, uſes, truſts, limitations, remainders, reverſions, charges, and incumbrances whatſoever in or by the ſaid recited laſt will and teſtament or codicil of the ſaid George Vaughan limited, created, expreſſed, or declared for, of, and concerning the ſame, to the intent and purpoſe nevertheleſs that the ſaid corporation may and ſhall apply and employ the ſame in the due execution of ſo much of the charitable ſcheme of the ſaid George Vaughan, as the fund hereby veſted in the ſaid corporation ſhall be ſufficient to maintain, ſupport, and anſwer, according to their beſt diſcretion, and moſt beneficially for the objects of the ſaid charity.

Other eſtates veſted in *Henry Vaughan Brooke*, freed from limitations in ſaid will,

but ſubject to uſes herein.

III. And be it enacted by the authority aforeſaid, that all that and thoſe the towns, lands, fee farm rents, tenements, hereditaments, and leaſeholds following, that is to ſay, all that and thoſe the towns and lands of Edentecrummon otherwiſe Edintierum, Drimmany otherwiſe Drimminy, Drimchorick otherwiſe Drumhorick otherwiſe Drumchirk, Drimnagalagh otherwiſe Drumnagallagh, and Derrineeve, Drimnagrecel otherwiſe Drimagreſſill otherwiſe Drumgriſtin, Gortnaguillan otherwiſe Gortnagullen, Muntaghroe otherwiſe Montaghroe, Drimſkinney otherwiſe Drumſkenny, Guſſidys otherwiſe Guſſedys, Doochrock otherwiſe Ducrock, Fertagh otherwiſe Farta, Drimgawna otherwiſe Drimganagh, Drimavehin otherwiſe Drumavehan, Drimbrick otherwiſe Drumbreck, Crimlin otherwiſe Crumlin, Ochel otherwiſe Oghill, Weſt Edencloy otherwiſe Weſt Edentecloy otherwiſe Edencloybig otherwiſe Edentecloybig, Eaſt Edencloy otherwiſe Eaſt Edentecloy otherwiſe Edencloylittle otherwiſe Edentecloylittle; and alſo one yearly fee farm rent of five pounds twelve ſhillings ſterling, charged and chargeable upon all that and thoſe the town and lands of Tullycabrick otherwiſe Tillycabrick; and alſo one other yearly fee farm rent of two pounds ſterling, charged and chargeable upon all that and thoſe the town and

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lands of Mullochmore otherwiſe Mullaghmore; and alſo one other yearly fee farm rent of one pound ten ſhillings ſterling charged and chargeable upon all that and thoſe the town and lands of Aughagrefin otherwiſe Aghagriffin otherwiſe Agragriffin, with all and every their rights, members, ſubdenominations and appurtenances, by whatſoever name or names, deſcription or deſcriptions the ſame or any of them is or are, or hath or have been called, known, or diſtinguiſhed, and the lordſhip and royalties of the ſaid manor of Caſtlehaſſett, all which ſaid towns and lands are diſtinguiſhed upon a map or ſurvey thereof by the name of the eaſtern diviſion, and are part and parcel of the ſaid manor of Caſtlehaſſett, and are ſituate, lying, and being in the county of Fermanagh, ſubject however to the payment of one moiety of the crown rent payable out of the ſaid manor to his Majeſty, his heirs and ſucceſſors for ever; and alſo all that and thoſe the towns and lands of Stackernagh, Pollands, Drummacranne, Ballyboladder, Ballynakill, Glenkeeragh, and Kennigoe, with all and every their rights, members, ſubdenominations, and appurtenances, by whatſoever name or names, deſcription or deſcriptions, the ſame or any of them is or are, or hath or have been called, known or diſtinguiſhed, ſituate, lying, and being in the county of Donegall, ſubject however to the payment of all fee farm and other rents iſſuing and going out of or charged or chargeable thereon, and alſo the ſaid George Vaughan's leaſehold intereſts in the ſaid towns and lands of Maſhill and Tyroneil, ſituate, lying, and being in the county of Donegall, ſubject to the rents payable for the ſame, and alſo the ſaid George Vaughan's leaſehold intereſt under the ſee of Derry, and alſo the ſaid bond perfected by the ſaid John Chicheſter, and the judgment obtained thereon by the ſaid George Vaughan, and all benefit to be had thereby, and alſo all that and thoſe one full and equal moiety of all ſuch part of the ſaid yearly ſum of two thouſand pounds as hath been received out of the real and leaſehold eſtates and intereſts of the ſaid George Vaughan, and alſo one full and equal moiety of all the rents that have been received out of the real eſtate of the ſaid George Vaughan ſince the expiration of his leaſes to and for the firſt day of November in the year one thouſand ſeven hundred and ſeventy five incluſive, and of all arrears of rent that did remain due and unpaid on the ſaid firſt day of November incluſive, and of all the perſonal eſtate of the ſaid George Vaughan that remains in the hands of the ſaid Guſtavus Brooke, or outſtanding upon ſecurities, ſubject however

however to the payment of one moiety of all such debts and legacies of the said George Vaughan as yet remain due and unpaid, and also to the payment of one moiety of all the costs and expences that have attended or shall or may attend the suing for and recovering the debts due to the said George Vaughan, and the said arrears of rent, or any of them, or the management of the said testator's affairs, and of obtaining this act of parliament, until the same shall pass into a law, be, and the same are, from the first day of November in the year one thousand seven hundred and seventy five vested in Henry Vaughan Brooke, his heirs, executors, administrators, and assigns for ever freed and discharged of and from all and every the estates, intails, uses, trusts, limitations, remainders, reversions, charges, and incumbrances whatsoever in or by the said last will and testament or codicil of the said George Vaughan limited, created, expressed, and declared of and concerning the same; but nevertheless as to the said towns, lands, and premisses last herein before particularly described with their and every of their appurtenances to the following uses, that is to say, to the use of the said Gustavus Brooke during his natural life, and from and after his death to the use of the said Henry Harte during his natural life, and from and after his death to the use of the said William Newburgh during his natural life, and from and after his death to the use of the heirs male of the body of the survivor of them the said Gustavus Brooke, Henry Harte, and William Newburgh; and in default of such issue to the use of the heirs male of the body of the said Basill Brooke lawfully begotten; and in default of such issue to the use of the heirs male of the body of the said Gustavus Brooke lawfully begotten; and in default of such issue to the use of the heirs male of the body of the said Henry Harte lawfully begotten; and in default of such issue to the use of the heirs male of the body of the said William Newburgh lawfully begotten; and in default of such issue to the use of the right heirs of the said George Vaughan, the testator; and as to the said personal estate, so vested in the said Henry Vaughan Brooke as aforesaid, in trust for the said Gustavus Brooke, Henry Harte, William Newburgh, and Henry Vaughan Brooke, their executors, administrators, and assigns, subject to such agreement as hath been made between them concerning the same.

IV. Provided always, that nothing in this act contained, shall extend to make void, confirm, alter or vary any agreement or agreements

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agreements made or entered into by and between the ſaid Guſtavus Brooke, Henry Harte, William Newburgh, and Henry Vaughan Brooke, or any of them, touching or concerning the ſaid premiſes hereby veſted in the ſaid Henry Vaughan Brooke, but that all ſuch agreements ſhall remain in the ſame plight and condition, as if this act had not been made.

Not to vary agreements between the deviſees.

Woods ſold, and the money divided

V. And be it enacted by the authority aforeſaid, that the ſaid governors of the charitable charter ſchool, erected and endowed by the laſt will and teſtament of George Vaughan eſquire, and the ſaid Henry Vaughan Brooke and his heirs, may and ſhall forthwith, and with all convenient ſpeed, abſolutely ſell and diſpoſe of the woods and plantations now ſtanding and growing upon the ſaid lands in the county of Fermanagh, and divide the money ariſing by the ſale thereof equally between them, that is to ſay, one moiety thereof to the ſaid governors for the charitable purpoſes aforeſaid, and the other moiety thereof to the ſaid Henry Vaughan Brooke, his executors, adminiſtrators, and aſſigns, upon truſt as aforeſaid.

Mary Sampſon's right not affected.

VI. Provided always, and be it enacted by the authority aforeſaid, that nothing herein contained ſhall affect, prejudice, vary, or change, or be conſtrued, deemed, or taken to affect, prejudice, vary, or change the right or title of Mary Sampſon ſpinſter to the ſaid George Vaughan's leaſehold intereſt under the ſee of Derry, but the ſame ſhall be and is hereby preſerved to the ſaid Mary Sampſon in the ſame ſtate, plight, and condition, as the ſame would have been, in caſe this act had never been made; any thing herein before contained to the contrary notwithſtanding.

Governors to meet on 7 days notice,

VII. And be it enacted by the authority aforeſaid, that the ſaid governors of the ſaid charitable charter ſchool, erected and endowed by the laſt will and teſtament of George Vaughan eſquire, may and ſhall meet and corporately aſſemble, when and ſo often and at ſuch place or places as they ſhall think fit, ſeven days notice of ſuch intended meeting being previouſly given in writing to each of the ſaid governors, or left at his dwelling-houſe, or publiſhed in the Dublin gazette; and that upon the death or reſignation of any of the perſon or perſons herein before particularly named as a governor then the governors of the ſaid charitable charter ſchool, erected and endowed by the laſt will and teſtament of George Vaughan eſquire, or the major part of them then living, three at leaſt conſenting, ſhall, within ſix calendar months after ſuch vacancy ſhall happen, elect ſome

vacancies ſupplied in 6 months,

other

other perſon or perſons to be a governor or governors in the place or ſtead of every ſuch perſon or perſons ſo dying or reſigning, ſo as that the number of governors may always be thirteen, and no more; and as often as any vacancy ſhall happen by the death or reſignation of any perſon or perſons, hereafter to be elected to be a governor or governors, ſome other perſon or perſons ſhall in like manner be elected; and all ſuch perſon and perſons from time to time ſo elected ſhall to all intents and purpoſes be and be deemed and taken to be a governor and governors of the ſaid charitable charter ſchool, as if his and their name and names had been herein for that purpoſe particularly inſerted, due notice being given as aforeſaid of ſuch meeting or aſſembly at which ſuch election or elections ſhall be made, otherwiſe ſuch election and elections ſhall be void.

to be always 13 in number.

VIII. And be it enacted by the authority aforeſaid, that the ſaid governors herein before nominated and appointed, and their ſucceſſors, ſhall for ever hereafter be in name and in fact one body politick and corporate in law for the purpoſes in this act appointed, and ſhall have perpetual ſucceſſion, and may and ſhall ſue and be ſued, plead and be impleaded, by the aforeſaid name of incorporation in all courts and places of judicature, and ſhall and may appoint and make a common ſeal or ſeals for the uſe of the ſaid corporation; and that the ſaid governors, or their ſucceſſors (five at leaſt being preſent) being corporately aſſembled, ſhall have power, and are hereby authorized, by the votes of the greater part of ſuch of the ſaid governors as ſhall be ſo aſſembled, to make ſuch laws, rules, orders, and regulations for the good government and management of the ſaid charity, conſiſtent with the laws of this realm, as they ſhall think neceſſary and convenient, and to revoke or alter the ſame at their diſcretion; to which laws, rules, orders, and regulations, ſo made by the ſaid governors or their ſucceſſors, all officers and ſervants belonging to the ſaid ſchool, or employed by the ſaid governors, who ſhall from time to time be nominated and appointed by the votes of the greater number of ſuch of the ſaid governors as ſhall be ſo aſſembled, five at leaſt being preſent, and all children, who from time to time ſhall be admitted and remain in the ſaid ſchool, ſhall be ſubject unto, and obliged to obſerve and obey; and in caſe ſuch officers, ſervants, or children, or any of them, ſhall refuſe or neglect to ſubmit and conform to and obey the ſame, the ſaid governors, at any aſſembly corporately convened by the votes of the greater number, five at leaſt being preſent, ſhall have

Governors incorporated;

make or alter orders, 5 preſent,

to be obſerved by officers, and ſervants and children admitted.

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have full power and authority, and are hereby authorized and impowered, to ſuſpend, deprive, or diſmiſs ſuch officers or ſervants off and from their offices, employments, or ſervices, and all ſalaries, profits, and emoluments thereunto belonging, and to remove and diſmiſs ſuch child and children out of the ſaid ſchool, or for ſuch offence or offences, or neglect, to appoint any leſſer puniſhment to be inflicted on ſuch officers, ſervants, or children, as they in their diſcretion ſhall think fit.

May leaſe 3 lives or 31 years in poſſeſſion,

IX. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the governors of the ſaid charity and their ſucceſſors, or the greater number of them, from time to time by indenture under their common ſeal to demiſe or leaſe the ſaid towns, lands, tenements, hereditaments, and premiſſes hereby veſted in them as aforeſaid, or any part or parcel thereof, for any term not exceeding three lives, or for any number of years not exceeding thirty one years, in poſſeſſion, and not in reverſion, remainder, or expectancy, ſo as upon every ſuch leaſe there be reſerved and made payable during the continuance thereof, half yearly to the ſaid governors and their ſucceſſors the moſt and beſt improved yearly rent, that can be reaſonably had or obtained for the ſame, from a ſolvent tenant at the time of making thereof, without taking any ſum or ſums of money, or other thing by way of fine or income for in or reſpect of ſuch leaſe or leaſes, and ſo as none of ſuch leaſes be made diſpuniſhable of waſte by any expreſs words therein, and ſo as in every of ſuch leaſes there be contained a clauſe or clauſes of diſtreſs and re-entry for nonpayment of the rent or rents to be thereby reſerved, and ſo as the leſſee or leſſees, to whom ſuch leaſe or leaſes ſhall be made, ſeal and deliver counterparts of ſuch leaſe or leaſes reſpectively; and that all leaſes made of the ſaid lands, tenements, hereditaments, and premiſes, or of any part or parcel thereof, in any other manner than as aforeſaid, ſhall not be good or available in the law, but ſhall be *ipſo facto* null and void.

reſerving beſt rent from ſolvent tenant half yearly,

without fine,

not diſpuniſhable of waſte,

clauſes of diſtreſs, &c.

counterparts delivered.

A publick act.

X. And be it enacted by the authority aforeſaid, that this act ſhall be deemed, taken, and allowed in all courts of juſtice in this kingdom as a publick act, and taken notice of and allowed as ſuch by all judges and others without ſpecially pleading the ſame.

Saving right of others.

XI. Saving and reſerving to the King's moſt excellent Majeſty, his heirs and ſucceſſors, and to all other perſon and perſons, bodies politick and corporate, their reſpective heirs, ſucceſſors,

executors and adminiſtrators (other than and except any perſon or perſons claiming or to claim by virtue of or under the ſaid laſt will and teſtament and codicil of the ſaid George Vaughan) all ſuch right, title, eſtate, and intereſt, both at law and in equity, as they or any of them had, could, might, or ought to have had, as fully to all intents and purpoſes as if this act had never been made; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

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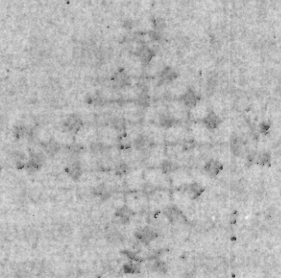

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—— for the more effectual puniſhing wicked and diſorderly perſons, who have committed, or ſhall commit, violences, and do injuries to the perſons or properties of any of his Majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them; or who ſhall deliver or publiſh threatening letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties, or any of them; and for the more effectual bringing to juſtice certain offenders therein mentioned. *c.* 5. *p.* 96.

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—— for better regulating the Foundling Hoſpital and Work-houſe in the city of Dublin, and increaſing the fund for the ſupport thereof; alſo for making a proviſion for appointing a *Locum Tenens* in caſe of

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—— for the better paving, cleanſing, lighting, altering, and improving the new ſtreet, called Sackville-ſtreet and the Mall, in the city of Dublin, and the lanes and avenues leading into the ſame; as alſo the ſtreet called Marlborough-ſtreet, running parrallel thereto on the eaſt ſide, with the lanes and avenues leading into the ſame. *c.* 13. *p.* 193.

—— for preventing the ſpreading of fires, and for appointing of watches in cities and towns-corporate. *c.* 14. *p.* 199.

—— for the relief of poor infants, who are or ſhall be deſerted by their parents. *c.* 15. *p.* 201.

—— for erecting parochial chapels of eaſe in pariſhes of large extent, and making ſuch chapels, and thoſe that are already erected, perpetual cures; and for making a proper proviſion for the maintenance of perpetual curates to officiate in the ſame; and alſo in like manner for making appropriate pariſhes perpetual cures. *c.* 16. *p.* 203.

—— for rendering more effectual the ſeveral laws for the better enabling the clergy, having cure of ſouls, to reſide upon their benefices, and to build on their reſpective glebe lands, and to prevent dilapidation, and for the encouragement of proteſtant ſchools within this kingdom of Ireland. *c.* 17. *p.* 213.

—— for the regulation of the city of Cork, and for other purpoſes therein mentioned, relative to the ſaid city. *c.* 18. *p.* 220.

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—— for preventing the erecting of lime kilns in the city of Dublin, or the ſuburbs thereof. *c.* 28. *p.* 281.

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—— for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them, and for reſtraining ſuch as ſhall be found able to ſupport themſelves by labour or induſtry from begging. *c.* 30. *p.* 284.

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—— for granting unto his Majeſty the ſeveral duties, rates, impoſitions, and taxes, therein particularly expreſſed, to be applied to pay an intereſt at the rate of four *per cent. per annum* for ſuch part of the ſeveral principal ſums formerly borrowed, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, and to apply the ſurplus of the ſaid duties in ſuch manner and for ſuch perpoſes, as ſhall be directed by parliament. *c.* 2. *p.* 342.

—— for granting to his Majeſty an additional duty upon the ſeveral goods and merchandizes therein mentioned. *c.* 3. *p.* 356.

—— to repeal an act, *intitled*, an act for the more effectual puniſhing wicked and diſorderly perſons, who have committed or ſhall commit violences, and do injuries to the perſons or properties of any of his Majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them, or who ſhall deliver or publiſh threatning letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties, or any of them, and for the more effectual bringing to juſtice certain offenders therein mentioned. *c.* 4. *p.* 357.

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—— for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper. *c.* 6. *p.* 366.

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—— for the more effectual preventing the forging or altering the acceptance or indorſement of bills of exchange, or the numbers or principal ſums of accountable receipts for notes, bills, or other ſecurities for payment of money, or warrants or orders for payment of money on delivery of goods. *c.* 14. *p.* 412.

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On petition proceedings entered of record; copy evidence on death or loſs; copy of certificate evidence and a bar in ſuit for debt before commiſſion; unleſs proved fraudulent. § 59.

Lord Chancellor to appoint a place to record, and perſon to enter, with uſual fee; during good behaviour. § 60.

Defendants may plead, or juſtify under this act. § 61.

Partners, co-obligors and contractors not diſcharged. § 62.

No *bona fide* creditor ſhall refund to aſſignees money before the commiſſion received in uſual courſe, not knowing bankruptcy or inſolvency. § 63.

On bottomry or policy claim admitted, and after the loſs on contingency demand proved as if before the commiſſion, and dividend received. § 64.

Fees, ſave as ordered, ſettled by lord chancellor. § 65.

Continued 7 years from 24 *June* 1772, &c. § 66.

Bog.

Papiſts may take leaſe 61 years of 50 acres, and half an acre arable as ſite for an houſe, or delving for manure, at rent agreed. 11 & 12 *G.* 3. c. 21. § 1. p. 262.

Like leaſe made by tenant, lord, biſhop, body corporate, for reclaiming; on determination no longer leaſe than as by 11 *C.* 1. c. 3. made by eccleſiaſtick or body corporate. § 2.

Void if half not reclaimed in 21 years. § 3.

Reclaimed, free 7 years from tithe or ceſs. § 4.

Muſt be 4 feet deep; 10 plantation acres; not within 1 mile of a town. § 5.

Bread.

If deficient in weight, ſeized by market juror. 13 & 14 G. 3. c. 20. § 10. p. 430.

Aſſize publiſhed monthly; penalty 5*l.* § 12.

7 years from 1 May 1774, &c. § 16.

No Duty on export. 15 & 16 G. 3. c. 15. § 21. p. 739.

Baker's name and abode in Dublin or Liberties regiſtered, and the time. 13 & 14 G. 3. c. 47. § 1. p. 636. on oath. § 2. 5*l.* penalty § 3.

Weight

Weight of wheaten and white loaves. § 4. penalties as by 1 G. 2. c. 16. if deficient. § 5. marked and baker's name. § 6. if not the real name, 20*s*. § 7. not marked, ſeiſed by day by perſons authoriſed, forfeited. § 8.

Entry by day; ingredients and bread examined; ſeiſed if not allowed; impriſonment not above 28 days. §. 9. obſtructing 5*l*. § 10.

Weekly returns on oath of wheat, flour, and meal ſold each market day, the prices, and ſorts of flour, and entered. § 11. neglect on falſe return 5*l*. § 12.

Collector to return import weekly, and the names. § 13.

And by merchants and factors on oath the quantity imported or ſent and ſold, the prices, and ſpecies. Summoned and examined on oath. 5*l*. on falſe return, neglect, or obſtruction. § 14.

Entered, and the middle price, reſpecting ſale in markets and by importer or conſignee. § 15.

Aſſiſe of houſehold by the table, reſpecting middle price. Allowance not under 11*s*. *per* quarter. § 16.

Acting contrary to aſſiſe, publiſhed as by 1 G. 2. c. 16. like penalties. § 17.

If bread raiſed by taking in flour, ſtruck on wheat only; if leſſened, on both. 28 ſtone and half of flour a quarter of wheat. § 18.

Laws as to aſſiſe repealed only as inconſiſtent with this. § 19.

Penalties by lord mayor or ſeneſchals on 1 witneſs; by diſtreſs, in 3 months. § 20, 21.

French rolls as uſual. § 22.

No fine on oath of equal weight when put in the oven: but forfeited at diſcretion. § 23.

Continued 2 Years. § 24.

White and houſehold ſold only in *Dublin* or liberties. Aſſiſe and weight by table. 1 G. 2. c. 16. reſpecting middle price of wheat and flour. Allowance not under 11*s*. *per* quarter. Aſſize publiſhed. Penalties as by 13 & 14 G. 3. c. 47. French Rolls as uſual. 15 & 16 G. 3. c. 22. §1. p. 794.

Brewers.

24 hours notice in writing to the officer on letting to hire brewhouſe, kieve, or pan, and name and abode of the perſon. 5*l*. penalty. 11 & 12 G. 3. c. 7. § 9. p. 108.

Certificate delivered to retailers with the beer or ale of real quantity, price, to whom, and when, given to gauger next viſit. Booked and filed. Penalty 5*l*. on brewer. Retailer chargeable with duty for ſuch as found not certified, and 5*l*. *per* barrel. § 10.

Refuſing officer to enter or remain to gauge, &c. 30*l*. 15 & 16 3. c. 15. §. 1. p. 728.

Pans lent or hired out forfeited, and 5*l*. §. 2.

Bricks.

Not made or burned within two meaſured miles from the publick lamps or forfeited, and 10*s*. *per* 1000. 11 G. 3. c. 6. p. 34.

2 juſtices may on complaint ſummon, convict on 1 witneſs, order ſale, and levy penalty. § 2.
Penalty to 1ſt informer and *Mercer's* Hoſpital. if no diſtreſs 3 months impriſonment §. 3.
Pariſhioners, ſave receiving alms, witneſſes. § 4.

Bridges.

County preſentment. 13 & 14 G. 3. c. 32. § 15. p. 521.
On affidavit, and if new or rebuilding eſtimate annexed, and foreman's certificate. § 16.
Sudden damage repaired. § 17.
Erected by ferry-owners (except in corporations) and like toll. § 20.

C.

Cambrick.

Imported (except *Britiſh*) forfeited 9 G. 3. c. 1. — 11 and 12 G. 3. c. 1. § 1. — 13 and 14 G. 3. c. 1. —15 and 16 G. 3. c. 8. § 21. p. 689.
Foreign offered as or denominated *Britiſh* or *Iriſh* forfeited and 50*l.* 11 and 12 G. 3. c. 7. § 12.

Cards.

6*d. per* pack. 13 and 14 G. 3. c. 1. § 4. —— 15 and 16 G. 3. c. 1. § 5. p. 652.
Sold, expoſed, or played with, if not marked 5*l. per* pack. 15 & 16 G. 3. c. 15. § 14. p. 735.

Chalkers.

If any, lying in wait, cut or ſtab with intent to murder, rob, maim, or diſfigure, felony, death; and aiders and abettors privy. No corruption of blood, &c. continued 4 years. 13 & 14 G. 3. c. 45. p. 626.

Charities.

For confirming agreement between truſtees and deviſees in will of *George Vaughan*; a corporation for executing the charitable ſcheme in ſaid will. 15 & 16 G. 3. c. 38. p. 834.

China, &c.

5 *per Cent.* as rated. 9 G. 3. c. 2. § 7. —— 11 & 12 G. 3. c. 2. —— 13 & 14 G. 3. c. 2. —— 15 & 16 G. 3. c. 1. § 3. p. 649.

Chintz, Callicoe.

Additional 6*d. per* yard. 13 & 14 G. 3. c. 3. —— 15 & 16 G. 3. c. 1. § 5. p. 652.

Churches.

No burial, or the ſervice performed, in church or chapel, or under ſame roof, or 12 feet on outſide, penalty 10*l.* 11 & 12 G. 3. c. 22. p. 264.
Except in arched vault, the only door on outſide. § 2.
Read in churches 4 *Sundays* every year. § 3.

13 & 14 G. 3. c. 10. to amend 3 G. 2. c. 11. repealed by 15 & 16 G. 3. c. 14. § 1. p. 726.
A ſpecial return to both houſes of the ſtate of churches and chapels, and of taxes 5 years before 1ſt *December* 1775. 15 & 16 G. 3. c. 14. § 2.
13 & 14 G. 3. extending to pariſhes where no default, repealed, 15 & 16 G. 3. c. 14.
A ſpecial return of ſtate of churches and chapels to both houſes next ſeſſion; and of taxes 5 years before 1 *December* 1775. § 2.

Churches. Vid. *Pariſhes.*

Primate may erect new either on reputed antient ſites in 8 G. 3. c. 17. or any new ſites in the new pariſhes. 11 & 12 G. 3. c. 16. § 16. p. 211.
Land occupiers pariſhioners as to church charges. § 17.
1 acre allotted at any diſtance from mother-church; a chapel erected thereon or on antient ſite; lands &c. in fee 30*l.* a year, not above 50*l.* a perpetual endowment for curate's maintenance. § 18. perpetual cures. § 19.
Perſons erecting and endowing true patrons, ſubject as curacies endowed by 1 G. 2. c. 18. repaired as by 1 G. 2. c. 22. chapels of eaſe by § 20.

Clerks.

33 G. 2. c. 11. as to maintenance continued to 24 *June* 1780, &c. by 13 & 14 G. 3. c. 41. § 8. p. 612.
To *June* 1783, &c. 15 & 16 G. 3. c. 32. § 4. p. 819.

Coaches.

Like duty by 11 & 12 G. 3. c. 2. not certifying forfeit 10*l.* § 15. p. 81.
Like duty 13 & 14 G. 3. c. 2. paid where regiſtered, not certifying 20*l.* § 10, 11. and by 15 & 16 G. 3. c. 1. & 8.
10*s.* every 4 wheeled carriage, 20*s.* every other, 10*s.* chaiſes. 13 & 14 G. 3. c. 1. § 4. & 15 & 16 G. 3. c. 8. § 4.
Metal Plates, as by 3 commiſſioners, numbered, ſent to collectors to deliver on certifying; fixed on tranſom. 13 & 14 G. 3. c. 8. § 7, 8.
Certifying 4 wheeled, not charged with 2 wheeled, and Cabriolets excepted. 15 & 16 G. 3. c. 8. § 10.
Not regiſtered in diſtrict where poſſeſſor reſident, altho' in another and duty paid, liable, unleſs collectors receipt produced. 15 & 16 G. 3. c. 15. § 11. the ſums charged in ledgers. § 12.
Cabriolets or garden chairs, the wheels above 4 feet diameter, liable. § 18.

Coaches, &c. Vid. *Workhouſe.*

Loan duty 20*s.* yearly, 9 G. 3. c. 2. § 7. p. 11.
Certificate in 3 months to collector, entered and numbered; liſts returned by 25 *December* yearly to receiver

receiver of duty, acquittances without fee, duplicates kept and returned as for hearth money. § 14. 5*l.* not certifying, and poſſeſſor charged as owner. § 15, 16.
Duty paid to collectors where raiſed, ſeparate accounts kept, paid into treaſury. § 17.

Coal.

No reward by Ship maſter, owner, or mate in *Dublin* for ſelling coals given or promiſed; or received or contracted for; penalty 100*l.* as by 1 *G.* 3. c. 10.—11 *G.* 3. c. 5. § 1. p. 32.
Sold only by maſter or mates, and by them authorized, penalty 50*l.* § 2.
No allowance, ſave freight, 1*s.* 6*d.* *per* ton for carriage to the quays, 50*l.* penalty. § 3.
Iriſh coal by inland canal to *Dublin* conſidered as imported, and like premium. § 4.
Continued to *June* 1774, &c. § 5.

31 *G.* 2. c. 14. continued to 24 *June* 1792, &c. 11 & 12 *G.* 3. c. 19. § 11.

3 *G.* 3. c. 27. continued to 24 *June* 1783, &c. 15 & 16 G. 3. c. 32. § 1.

Coffee, &c.

3*d.* *per l.* to linen manufacture, 9. G. 3. c. 1.—11 & 12 *G.* 3. c. 1.—13 & 14 *G.* 3. c. 1. §. 2.—15 & 16 *G.* 3. c. 8. § 2. p. 681.
Loan duty on coffee 2*d.* *per l.* 9 G 3. c. 2. § 7.—11 & 12 *G.* 3. c. 2.—13 & 14 G. 3. c. 2.—15 & 16 *G.* 3. c. 1. § 3. p. 650.

Colliers.

1 *G.* 3. c. 17. § 17. continued to 24 June 1778, &c. 13 & 14 *G.* 3. c. 41. § 9. p. 612.

Conſtables.

G. juries to appoint high conſtables yearly where heretofore, and 4 ſubs every barony. Preſent 8*l.* for ſuch 4 on certificate of qualifying. High conſtable collector on failure of appointment or of ſecurity; to receive wages 9*d.* *per l.* on ſecurity to aſſiſt in levying publick money, penalty 10*l.* 13 & 14 *G.* 3. c. 32. § 24. p. 526.
In a large manor or pariſh 2 or more conſtables. § 27.

Not attending revenue officer, 40*s.* or 1 month impriſoned. 15 & 16 *G.* 3. c. 15. § 15. p. 735.

Cork. Vid. *Hoſpitals.*

Mayor, ſheriffs, and council may by order apppoint valuators for each pariſh; returned to mayor; depoſited with town-clerk; atteſted copies evidence. 11 & 12 *G.* 3. c. 18. § 1. p. 220.
Valuation of new erections added. § 2.
Entry by day. § 4. Valuator's oath at ſeſſions, or fined. § 5, 6. excuſed on oath certified. § 7. Valuation by 7 ſworn valid though others not ſworn. § 12. Preſentments

ſentments levied by ſuch valuation. § 15.
Warrants by treaſurer in a month after aſſizes to levy. § 16. where a yearly tenant, owner not liable. § 17, 22.
Liberties charged as before. § 18.
Treaſurer's ſalary, 80*l.* § 20.
Lamps regulated in council-chamber, and contracts. § 21. Penalty on breaking, &c. § 24, 25.
Watchmen appointed in veſtries with annual overſeers; charged as lamp-money. § 27, 28.
Former deficiencies preſented next aſſizes. § 29. and ſums recovered by treaſurer from conſtables. § 30.
Deficiencies in lamp and watch money added to next year. § 31, 32.
Each of market jury may act as any 3. § 33.
Recorder or deputy, a barriſter, may hold court of record. § 34. or ſeſſions. § 38. may be adjourned from day to day. § 35. Juror or witneſs fined. § 36. Proceeding by attachment confirmed. § 37.
On unlawful combination impriſoned 6 months, and whipped, and 40*l.* Recognizance for behaviour 7 years. § 40, 41, 42.
Wages ſettled at Eaſter ſeſſions, recorder preſent. § 43, 44, 45.
7 riotouſly aſſembling, not diſperſing in 1 hour after reading, attempting to hinder it or forcible entry, impriſonment, whipping, and 40*l.* recognizance. § 47.
Summoned on affidavit, examined on oath to diſcover. § 48. and 20*l.* recognizance to proſecute. § 50. Accuſed bound to appear; or impriſoned. § 51. heard in 3 days. § 52.
10 guineas each aſſizes for coroners. § 54. 30*l.* to crown clerk. § 55.
Salt meaſurers appointed annually and ſworn. § 56.
Sheriffs to retain 2*s.* & 6*d. per l.* on green wax proceſs. § 58.

Corn.

5 G. 3. c. 19. continued to 24 June 1772, &c. 11 G. 3. c. 2. § 5. p. 28.
To 24 June 1776, &c. 13 & 14 G. 3. c. 41. § 4. p. 611.

Any violence to hinder buying corn, grain, or potatoes; to ſtop or ſeize carriage or horſe ſo loaded, in, to, or from place of ſhipping; cut, ſeparate, or deſtroy any part, or harneſs; take off, drive, or wound the horſes; beat drivers; ſcatter, take away, or damage the corn, &c. or compel a diſtribution; on conviction by 2 juſtices, or at ſeſſions committed not above 3 months, nor under 1; and publickly whipped. 11 G. 3. c. 7. § 1. p. 35.
2d offence; or deſtroying granary; taking away or ſpoiling the corn, &c. therein, or on board veſſel for export or coaſtways; felony, tranſportation 5 years; returning felony, death. § 2.
No corruption of blood, diſherſion, &c. § 3.

25 G. 2. c. 15. continued to 24 June 1781, &c. 13 & 14 G. 3. c. 41. § 7. p. 611.
Affidavit to intitle to bounty on bringing

bringing flour to Dublin. 11 & 12 G. 3. c. 9. § 1. p. 149.
Forging certificate, affidavit, craner's note, or producing it; falſe ſwearing; fictitious name; 1ſt offence, whipped 3 days; 2d tranſported 7 years. § 2.
Preſent paymaſter on ſickneſs or abſence may appoint one, approved. § 3, 4.
Corn, &c. brought again to be weighed, or in any name but real owner's, or greater diſtance ſworn than real, forfeited. § 5.
When middling Iriſh wheat, where exported not above 1*s.* Engliſh *per* ſtone, rye, peas, or beans, 25*s.* *per* quarter, oats, 9*s.* exporter in Britiſh or Iriſh ſhips (except to Man) the maſter and 2-3ds ſubjects, ſhall on Bond and requiſites by 29 G. 2. c. 9. receive premium, for wheat flour, 3*s.* and 2*d.* Engliſh *per* quarter; rye, &c. 2*s.* and 4*d.* oats 1*s.* & 8*d.* 13 & 14 G. 3. c. 11. § 1. p. 402.
4 buſhels 224*lb.* where in ſacks, weight computed by 2 out of 20; paid on certificate. § 2.
Not from Dublin, nor Drogheda to Wicklow. § 3.
Continued to 24 June 1779.

Cottons.

6*d.* *per* yard. 9 G. 3. c. 1. 11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. §2. p. 681.

Crown Clerk.

Each aſſiſes ſhall enter copy of treaſurer's account; give copies of queries diſcharged and preſentments, 5*l.* penalty; in 2 months make up queries for ſucceeding aſſiſes on affidavit; carry forward queries with the order; enter query on preſentment, and fines; not efface, alter, &c. record. Penalty 100*l.* and diſmiſſed. 13 & 14 G. 3. c. 18. § 14. p. 424.
Keep affidavits, ſave otherwiſe directed. § 15.
10*l.* preſented for fees on diſcharge and attendance. 13 & 14 G. 3. c. 32. § 22. p. 525.
To file affidavits, maps, &c. and in 4 days after aſſiſes give treaſurer copies of preſentment and diſcharged queries ſigned; 5*l.* penalty; return thoſe not accounted for, or diſabled. § 25.

Cyder.

10*s.* *per annum* and 1*d.* *per* gallon on retailers. 9G. 3. c. 2. § 7. p. 11.
Not retailed without licence. Fee 1*s.* & 1*d.* Penalty 5*l.* § 10, 11.
Entry by day to take account and charge. § 12.

Stock declared on demand. Refuſal 10*l.* and 10*l.* if more found. § 13. and by 11 & 12 G. 3. c. 2. 13 & 14 G. 3. c. 2.—15 & 16 G. 3. c. 1. § 10. p. 54.

D.

Debentures. Vid. *Loan.*

Debts.

8 G. 3. c. 25. affecting perſonal credit, trade and manufactures, repealed. 11 G. 3. c. 8. p. 37.

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Perſons in ſchedules on petition to B. R. or C. B. and performing requiſites in 1 G. 3. c. 16. like relief and puniſhment. 2-3ds of real creditors in number and value to ſign certificate; verified on oath, and no fraudulent conveyance or act. 11 & 12 G. 3. c. 32. p. 309.

Amended on petition before 24 June 1775. one half in value of real creditors to ſign certificate. 13 & 14 G. 3. c. 44. p. 619.

Diſtillers.

None, unleſs by this act licenced, ſhall keep or uſe ſtill under 200 gallons; or forfeited with contents and 20*l.* 11 & 12 G. 3. c. 7. § 3. p. 104.

Licence gratis to chymiſt, apothecary, druggiſt, for ſtills ſpecified for medicinal, compound, or cordial waters only. § 4.

On bond with 100*l.* ſurety not to ſell ſpirits, lend or hire ſtill. § 5.

12 gallon ſtills licenced for medicinal waters or experiments. § 6.

On information on oath by exciſe officer of probable ſuſpicion, a magiſtrate (not officer) may impower with conſtable by day to enter and ſearch private houſe or place for concealed ſtills; and break open if refuſed; ſtills found forfeited with the ſpirits, &c. officer ſued muſt prove reaſonable cauſe. § 7.

If veſſels not placed convenient, gauged on outſide, and charged as ſuch. § 8.

Back or cooler not altered without notice in writing, 5*l.* penalty, 13 & 14 G. 3. c. 8. § 10. p. 388.

Veſſels licenced regiſtered in the diſtrict with owner's name, contents, place, and time; or forfeited. Brazier or manufacturer excepted, and licenced ſtills of 12 gallons or under for medicinal waters or experiments. § 12, 13.

Refuſing officer to enter or remain to gauge, &c. 30*l.* 15 & 16 G. 3. c. 15. § 1. p. 728.

Spirits ſtored together in or adjoining diſtillers in caſks not under 100 gallons, bungs eaſy of acceſs, 20*l.* Penalty. § 18.

Stills declared for rectifying, and proper decreaſe not found, or contents not declared, charged as if filled with low wines; or with potale if diſtilling faints. § 18.

Not leſs than 400 gallons at one time ſet in any veſſel fermenting waſh of molaſſes or ſugar 10*l.* Penalty. § 19.

Lights ſupplied to officers by day or night. 5*l.* penalty. § 20.

Licence to diſtillers reſiding in towns where markets held eſtabliſhed before 24 June 1774. § 23. Withdrawn on change of abode or conviction in 5*l.* penalty. § 24.

3 G. 3. c. 21. § 10. repealed. Waſh and potale in place not of common diſtiller, and where no ſtill, &c. fixed, ſpilled by the officer. § 25.

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Dublin.

Commiſſioners for pavement, &c. named, and elected from 3 to 3 years. 13 & 14 G. 3. c. 22. § 1. 2. p. 433, incorporated. § 72.

5 Diviſions of the city. § 3.

12 in each elected in veſtry by ballot 1ſt Thurſday in February annually. A committee for executing; to certify bills to commiſſioners for payment. § 4.

5 to act § 5. on 14 days neglect 9 commiſſioners may appoint. § 6.

None ſhall act holding office, contracting, or ſecurity. § 7.

Oath before 7 at meeting. § 8.

Meet and adjourn § 9. 5, ſave more required, may act. § 10.

9 may on 14 days notice appoint officers under ſeal, or remove; make allowances; and proportion expence; 5 take ſecurity. Committees to appoint in diviſions. § 11.

Officers taking reward, or intereſted in bargain, 100*l.* and incapable. rates paid to Pariſh receivers; accounts in writing as by 5 appointed, with vouchers; copies to committees. To verify on oath. Penalty 50*l.* § 12.

By civil bill, where not above 20*l.* 2 juſtices may determine on complaint. If not paid in 10 days, diſtreſs and ſale, &c. § 13.

Treaſurer receiving 100*l.* ſhall pay into a bank, to order by 7. § 14.

7 at board may order pavement and neceſſary acts. § 15.

Plunket-ſtreet penthouſes, &c. not removed. § 16.

5 of committee may contract. 14 days notice between 1ſt February and June. Approved by 7. § 17.

Agreement between landlord and tenant not avoided. Rates paid in lieu. § 18.

Receivers on order by 7 may inſpect and copy watch or poorhouſe rates. Penalties on refuſal. § 19.

Materials veſted in committees. On damage, not above 40*s.* nor under 10*s.* 2d offence 5*l.* or 20*s.* or committed. § 20. old materials ſold. § 21.

Pavement taken up to amend pipes, or on fires, repaired by pipe-water paviors: but if to alter their poſition, paid out of the monies by this act. § 22

Agreement with canal co. confirmed, to pay 10*l. per* cent. § 23.

Receivers accounts 4 times a year, or oftener, if required. § 24.

No Alteration or encroachment. No poſts, rails, ſigns, holes, &c. without conſent of 7 under ſeal. Penalty, 5*l.* and expences. § 25.

Footways cleanſed daily; penalty 1*s.* § 26.

Pipes to houſes altered, out of the money by this act. § 27. contracting paviors to repair ſpeedily where pipes amended. § 28.

24 hours notice to ſurveyors of intent to take up pavement. Penalty 5*l.* § 29. obſtructing, 20*s.* 40*s.* 3*l.* or committed 1 month. § 30.

Pavement at expence of pariſh or body corporate where accuſtomed § 31. compounded by the year. § 32.

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Streets watered as occaſion. § 35.

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Aſſeſſments by 9 twice a year, or oftner, not exceeding 1*s*. *per l.* rated for watch; paid annually. § 37. Owner aſſeſſed where 2 or more tenants; occupier paying, deducted out of rent. § 38. half rate paid where empty. § 39. every tenant liable to the whole. § 40.

Publick buildings, walls, void ſpaces rated *per* ſquare yard, paid by church-wardens, or owners or occupiers of the ſoil § 41.

On nonpayment 10 days, receiver on warrant of 2 juſtices may with conſtable enter and diſtrain. § 42. in any place on removing. § 44.

All other erections rated at 4*d*. *per* ſquare yard: walls, void ſpaces by annual value as to ſolvent tenant. New houſes rated as others in ſame ſtreet. § 45.

All other erections rated at 4*d*. *per* ſquare yard; walls, void ſpaces by annual value as to ſolvent tenant. New houſes rated as others in ſame ſtreet. § 45.

Payment of rate a diſcharge. § 46.

Riding or driving on footway, 10*s*. 20*s*. 40*s*. § 47.

Materials raiſed in any grounds (not deer park, &c.) paying damages; appeal to ſeſſions; aſſeſſed by jury. § 48. or grounds purchaſed for materials. § 49.

Effects of receivers dying liable. § 50.

7 may compound ſuits for penalties in contracts. § 51.

Penalties (not otherwiſe directed) levied by diſtreſs and ſale on warrant, paid to treaſurer. Or commitment 2 months. § 52.

No proceeding quaſhed or removed § 53.

Where no relief appointed, appeal to ſeſſions; 21 days notice, and recognizance in 2 days with 2 ſureties. § 54.

No treſpaſs for want of form. Satisfaction in *Caſe* § 55. unleſs tender of amends; payment into court before iſſue. § 56.

14 may mortgage; apply in the diviſion; not above 1-3d in each. § 57.

Purchaſe buildings or ground as agreed, or by jury, and laid into the ſtreets. § 58. but no new ſtreets made. § 59.

All owners may ſell. Truſtees, &c. indemnified. § 60.

Streets in 2 diviſions, expence proportioned. § 61.

Inhabitants on quays ſhall repair the walls, keep even, and cope with grit, or coſts levied 1 month after notice. § 62. unleſs others obliged by cuſtom or contract. § 63.

Liberties and ſtreets annexed to pariſhes for this act. § 65. excepted § 66.

Orders entered and ſigned by clerk original and evidence. § 67. done at meeting by the neceſſary number. § 68.

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7 Commiſſioners may inforce former acts. § 74.

29 G. 2. c. 13. extended to carts, &c. by 1 horſe only. § 75.

5 G. 3. c. 14. relating to Dublin county, repealed. 13 & 14 G. 3. c. 34. p. 550.

St. *Sepulchre's* and *Donore* made diſtinct baronies from *Upper-croſs*, and rated in apportioning preſentments. The barony of *Rathdowne*. § 2.

Preſentment at Eaſter and Michaelmas to repair publick roads, or widen not above 31 nor under 21 feet; and for new road from market to market or the ſea; overſeers, wages 1*s. per l.* § 3.

Oath of overſeers not ſworn to expenditure. § 4.

Overſeers appointed at Eaſter to keep in repair 600 perch each; on affidavit 7*l.* 10*s.* preſented, § 5.

Affidavits for widening. § 6.

Where a boundary, half preſentment; equal on the adjoining. § 7.

Incloſure pulled down, by 2 juſtices of 100*l.* a year. Expence and 40*s.* levied. § 8.

Preſentment for fences to new road 1*s. per* perch. § 9.

Map of new road depoſited 21 days; not thro' deer park, &c. notice ſerved on each occupier 21 days, and poſted 7. § 10. Affidavits for new road and fences. § 11.

Traverſable. Verdict of damages concluſive, on county or baronies in proportion to length, old road ſtopped on notice. § 12, 13.

Overſeer's affidavit of uſing 3 inch wheels not with ſprigs, 20*s.* penalty on milk cars. § 15.

Preſentment for new ſeſſion, gaol, or workhouſe, or bridge or wall for a road, or rebuilding, enlarging, or repairing, on affidavit by 2 before a judge or 2 juſtices, eſtimate annexed, for new bridge laid before grand jury, certified, unleſs the old deſtroyed, affidavit of expenditure, payment of part, not exceeding 2-3ds on ſecurity to finiſh. § 16.

Where a boundary, half preſentment, on equal on adjoining county, a juſtice of 100*l.* a year freehold may on affidavit by 2 order 5*l.* on ſudden damage, preſented on county; or 40*s.* for accidental bad ſtep, on barony, but one order between preſenting terms. § 17.

Preſentment 2*cl.* for gallows, bolts, &c. conveying priſoners 6*d. per* mile; for recovering publick money. § 18.

Affidavit of expenditure. § 19.

For foot path of 3 feet in 5 miles of *Tholſel*, 2*s. per* perch on barony; not thro' deer park, &c. traverſable, riding or driving thereon 10*s.* by a juſtice of 100*l.* a year in the county. § 20.

Repreſentment of money not expended and accounted for in 2 years on other work preſentment of arrears. § 21. not above 5 years, half at 1 term, on oath by 2 within 1 year of deceit by affidavit for diſcharging query, proceſs. § 22.

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inquire offences and fine. § 23.

No receiver of publick money an overſeer, grand jury to appoint, § 26.

Overſeer dying or unable to attend before accounted, affidavit, or oath of ſurvivors, payment of expenditure grand jury may diſcharge and appoint others. § 27.

Treaſurer's ſalary 50*l.* each term, if ſecurity at ſeſſions not approved, or none, recognizance with ſureties 10000*l.* or office vacated; a new one next ſeſſions, account on oath at *Eaſter* and *Michaelmas*, laid before grand jury, not to compound or deduct, office open 8 days after terms from 9 till 3, queries diſcharged paid, if he has publick money, fined or impriſoned. § 28.

Barony collectors reſident appointed at terms only, at 9*d. per l.* on recognizance with 2 ſureties, may appoint deputies under ſeal, high conſtable collector, if no appointment or ſecurity, conſtables to aſſiſt, penalty 10*l.* publick money levied by diſtreſs and ſale. § 28.

On death appointed at ſeſſions on ſecurity till by grand jury. § 29.

10*l.* each term for ſecretary, 10*l.* each ſeſſions for diſcharge of priſoners, 5*l.* each ſeſſions to peace clerk. § 30.

High conſtable at general ſeſſions yearly for each barony, except St. *Sepulchre's* and *Donere*, and 4 ſub. 8*l.* preſented at *Eaſter* and *Michaelmas* on qualifying, in large manor or pariſh 2 or more conſtables. § 31.

Crown and peace clerks to file affidavits, maps, and eſtimates; and in 4 days deliver to treaſurer copies of preſentments and queries diſcharged, penalty 5*l.* copies by treaſurer to overſeers in 10 days, and in 1 month warrant to collectors, levied and paid to treaſurer by 2d of next preſenting term, denominations inſerted as in the table, the ſum, and portion of each. § 32.

Collectors may avow on this act, have treble coſts; grand jury may appoint to proſecute or defend. § 33.

Collector in 10 days ſhall deliver a tranſcript deſiring applotment to ſeneſchal, a churchwarden, miniſter, or curate; if none reſident, to any principal inhabitant, when required by 2 landholders or neceſſary oath of ſervice and 1 witneſs, notice poſted in 6 days, applotters choſen by landholders and inhabitants preſent, 2 copies on oath in 30 days one to collector, one to poſter of notice, penalty 10*s.* every day after; applotment levied by diſtreſs and 10*s.* fees, if no full applotment in 36 days, levied as by a former, if none, by collector on oath, depoſited by treaſurer. § 34.

Preſentment traverſed, on ſecurity for full coſts. § 35. Tried on entry. § 36.

Table of aſſeſſment. § 37.

Materials raiſed in adjoining county, not from ſea ſhore, a road or bulwork, except thrown in the tide, 5*s. per* load, drains made, not thro' deer park &c. damages by 3 houſeholders ſworn, obſtructing

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ing 5*l.* on warrant of a juſtice of 100*l.* a year in the county. § 38.

Eſtimate of damages preſented on county, notice to ſcour ditches, or clip hedges to 5 feet; on 10 days neglect expence levied on warrant of ſuch juſtice and 18*d. per* day; no notice in harveſt. § 39.

Not removing nuiſance 48 hours after notice, warrant to appear in 6 days, fine 20*s. per* day, § 40.

Building (except where houſe now ſtands) in 16 feet of Center (except in *Dublin* or market towns) keeping cur, &c. in 50 yards without 5lb. block, and other annoyances, penalty 10*s.* mill-ſtone not on wheels 40*s.* ſlide car, timber, &c. not on 3 inch wheels. 5*s.* § 41.

Laying filth on land in 3 miles of *Dublin*, 1 of *Swords* or *Newcaſtle*, without covering, 40*s.* § 42.

Saving liberties of St. *Sepulchre*'s and *Donore*. § 45.

City grand jury every 3d *Michaelmas*, or oftener, to take account of miniſters money, and form table for applotments. § 48. Treaſurer to aſſeſs thereby in *March* and *September*, and inſert in warrant, ſigned by lord mayor, delivered to church wardens. § 49.

Veſtry for applotting in 1 month, or miniſter, church wardens, fined 50*l.* pariſh not applotting, 100*l.* § 50.

Church wardens in 10 days to appoint collectors, at 6*d. per l.* conſtables to aſſiſt, penalty 10*l.* § 51.

Levied by diſtreſs and ſale, by lord mayor's warrant, paid to church wardens, by them to treaſurer before next term; treaſurer to account on oath every term, return to grand jury, penalty 100*l.* § 52.

Conſtable or church wardens neglecting fined not exceeding the ſum, and committed. § 53.

No commiſſioner or committee ſhall act, unleſs poſſeſſed of 20*l.* a year rents of lands, &c. or 300*l.* perſonal, 50*l.* penalty, proof on defendant, 15 & 16 G. 3. c. 20. § 1. p. 762. No victualler or liquor retailer. § 2.

Committee refuſing, 7 commiſſioners may execute. § 3.

Election of commiſſioners by common council from 3 to 3 years within 14 days after 24th *December*. § 4.

Commiſſioners (not from office) not attending 12 months, committee man 1, (unleſs ſickneſs, &c.) another elected on notice by the clerk of the commiſſioners or diviſion. § 5.

5 committees may contract for pavement. § 6.

14 commiſſioners to alter rails, windows, areas. § 7. In ſtreets or quays 30 feet broad, not without conſent. § 8.

May under ſeal demiſe or mortgage aſſeſſment; copies entered, the money applied where raiſed; lender not anſwerable, ſervice on treaſurer ſufficient. § 9.

Transferable by indorſement. § 10, 11. Creditors in equal degree. § 12. Perſonal, not ſubject to Popery laws. § 13.

Part of 13 & 14 G. 3. c. 34. § 42. Repealed. § 14.
Fines in 13 & 14 G. 3. c. 22. § 26. for not cleanſing footway increaſed. § 15.
Holes in ſtreets not properly incloſed, or longer than neceſſary, not fencing areas, 5*l.* weekly. § 16.
Obſtructions removed to ſtore yard till 5*s.* paid, ſale in 2 days. § 17.
Waſtes fenced in 21 days after notice by 5 commiſſioners, or done at the party's expence. § 18.
Breaking or exerciſing horſes 10*s.* § 19.
Building materials, &c. unleſs incloſed, removed in 2 days after notice, 10*s.* penalty, ſale in 5 days. § 21. 2d offence 20*s.* 40*s.* after. § 22.
Superviſor's licence to incloſe firſt had, fee 1*s.* 20*s.* every 12 hours continued, if without or contrary to licence, pulled down, removed to ſtore, ſale in 5 days. § 23.
To ſift or ſlack lime, ſave in ſuch incloſure 40*s.* § 24.
Night ſoil taken away between 11 at night and 5 in morning, not caſt into ſtreets, &c. offender taken to watchhouſes, before a magiſtrate, committed not above 1 month nor under 2 days, reward not above 20*s.* nor under 5*s.* § 25.
Houſes of 5*l.* a year only may be relieved in aſſeſſment. § 26.
Lying-in-hoſpital 20*l.* a year § 27.
No part of the grounds leaſed for building. § 28.
Trinity College 70*l.* a year. *Stephen's Green* 50*l.* § 29.
7 commiſſioners may diſpoſe of ſurplus ground purchaſed, preference to venders, may direct edifices thereon. § 31.
9 may abate market nuiſances, names and number fixed on ſtalls. § 32.
Void ſpaces a ſecurity for arrears. owner or occupier ſued in treaſurer's name. § 33. Rated by 5 at 1*s.* *per l.* of annual value by ſolvent tenant. § 34.
St. *Sepulchre's* and *Donore* included, 2 ſeparate diviſions; ſubject as others, ſave in 2 particulars. § 35. aſſeſſed at 1*s.* *per l.* as rated for miniſter's money. § 36. In extraparochial by 4 valuators. § 37. diviſional committees for ſaid baronies. § 38, 40.
Pavement to ſtables, &c. repaired in 6 days after notice, or by 5 commiſſioners, expence levied on warrant of 2 juſtices. § 41.
Sedans with fares may paſs footpaths. § 44.
Commiſſioners added. § 45.
One branch from main pipe provided for every houſe 15 & 16 G. 3. c. 24. *vid. Pipewater.*

Dublin. Vid. *Poor.*

Lord mayor may by warrant appoint an alderman *Locum tenens*, 11 & 12 G. 3. c. 11. § 68. p. 190.
On his death the quorum in 2 days § 69. Election in 14, or the aldermen and commons may elect, § 70.
Preſident of court of conſcience may appoint an alderman during abſence. § 71.

Commiſ-

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Commiſſioners for improving *Sackville* and *Marlborough-ſtreets*, and the lanes and avenues, with powers to pave, make ſewers, &c. any 5 may act. 11 & 12 G. 3. c. 13. p. 193.

Seſſions for the county notwithſtanding B. R. ſitting. 11 & 12 G. 3. c. 19. § 15. p. 260.

Duties.

No Duty on timber or wood for building or manufacture, or roſin, from the plantations in ſubjects ſhips navigated as by law. 11 & 12 G. 3. c. 7. § 11. p. 110.

Additional to 25 *December* 1775 on goods mentioned. 13 & 14 G. 3. c. 3. p. 356.

No duty for juniper berries, or the oil. 13 & 14 G. 3. c. 8. § 17. p. 391.

On brimſtone and ſaltpetre repaid on making vitriol, &c. for linen manufacture. § 18.

400*l.* yearly for 2 years on houſes in *Dublin*, of 10*l.* yearly as rated. 13 & 14 G. 3. c. 17. § 2. p. 415.

Additional for loan intereſt and annuities to 25 *December* 1777. 15 & 16 G. 3. c. 1. p. 647.

Reſidue as directed by parliament. 15 & 16 G. 3. c. 1. § 22.

Additional to 25 *December* 1777, 1*s. per* 100 on flour, meal, bread, biſcuit, imported, ſave *Britiſh*, 2*s. per* barrel on wheat, unleſs middle price, where imported, exceeds 23*s. Engliſh*, *per* barrel as by 29 G. 2. c. 9. raiſed as by 14 & 15 C. 2. c. 8. or other exciſe law, no fee. 15 & 16 G. 3. c. 3. p. 674.

None on export of bread or biſcuit. 15 & 16 G. 3. c. 15. § 21. p. 739.

Duties. Vid. *Loan, Stamps.*

Additional from 25 *December* 1769, to 25 *December* 1771. 9 G. 3. c. 1. § 1. p. 1. Sums payable thereout. § 7.

288000*l.* applied. 11 G. 3. c. 4. p. 30.

To 25 *December* 1773.—11 & 12 G. 3. c. 1. to 1775.—13 & 14 G. 3. c. 1. to 25 *December* 1777. —15 & 16 G. 3. c. 8. § 2.

Loan Duties. 9 G. 3. c. 2. § 7.

Further additional. 13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. § 4, 5. p. 682.

Separate accounts of duties appropriated, weekly abſtracts to accountant general; and ſeparate receipts given. 9 G. 3. c. 2. § 26. &c.

Further additional to 25 *December* 1775, 5 *per cent.* on goods named (not *Britiſh*) as rated; if unrated, on importers oath. 13 & 14 G. 3. c. 2. § 4.—15 & 16 G. 3. c. 1. § 5. p. 647.

E.

Exciſe. Vid. *Revenue, Diſtillers.*

14 & 15 C. 2. c. 8. § 15. extended to horſes and cattle carrying by burthen or otherways, goods not entered, and duty paid. 11 & 12 G. 3. c. 7. § 15. p. 111.

No replevin, &c. executed without

leave of Exchequer, for goods ſeized, run, or detained for duty, unleſs firſt acquitted. § 16.
Appointments of officers before 24 *June* 1774 by C. commiſſioners, and all acts by them, valid, as if no defects. 13 & 14 G. 3. c. 8. § 1. p. 383.
Shall be by chief commiſſioners or any 3 under hand and ſeal, with chief governor's approbation, power to diſplace, allow wages quarterly, and accidental rewards, ſworn as before, ſame powers and penalties. § 2.
Poundage or otherwiſe, as by chief governor. § 3.
1 Commiſſioner may determine complaints on retailing without licence. § 9.
13 & 14 G. 3. c. 8. as to appointment of, or acts by exciſe officers, ſalaries and rewards, made perpetual. § 21.

F.

Fire.

Veſtry 1ſt *June* 1772, to fix pariſh rate for one engine at leaſt, and for keeping, and attendants to work, at yearly ſalaries, and regulate. 11 & 12 G. 3. c. 14. p. 199.
Aſſeſſment in 11 & 12 G. 3. c. 14. by miniſter's money, repealed. Aſſeſſed by value of houſes. 13 & 14 G. 3. c. 24. § 5. p. 473.
On pariſh neglect, judge of aſſize may order 50*l.* as preſentments, paid to the miniſter or curate. § 6.

Fiſh.

Additional duty on herrings, (except *Britiſh*) 1*s. per* barrel, to *Dublin* Society, for North Weſt fiſheries. 11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. § 2. p. 682.—and drawback on re-export in 9 months.
Trawling in *Dublin* Bay, penalty 10*l.* the boat, tackle, &c. 20*l.* on revenue officers. Continued to 24 *June* 1778, &c. 13 & 14 G. 3. c. 41. § 12, 13. p. 612, 613.

Bounties 11 years from 1ſt *Jan.* 1776, for ſhips in *Britiſh* fiſhery on *Newfoundland* Banks; by regiſter *Britiſh* built; owned by ſubjects reſident; of 50 tons; 15 men, 3-4ths, beſides maſter, ſubjects, qualified under rules in *Britiſh* act, 10 & 11 W. 3. cleared from *Iriſh* port after 1ſt *Jan.* yearly; proceeding to the banks; catching 10000 by tale; landing between Cape *Ray*, and *De Grat* by 15 *July*; one or more trips with another cargo; to 25 ſhips firſt arriving, 40*l.* each; to the next 50, 20*l.* each; the next 50, 10*l.* each; on the governor's certificate to the collector whence cleared. 15 & 16 G. 3. c. 19. p. 760.
Train oil, blubber, whale fins, raw ſeal ſkins, taken by crews and ſhips aforeſaid, imported and exported without duty 11 years. § 2.
Trawling between Eaſt point of *Howth* and *Lambay*, proved before a juſtice of county or city, penalty 10*l.* with the veſſel, tackle,

tackle, and geer, to Marine ſociety, and proſecutor. 15 & 16 G. 3. c. 31. p. 817.

Flax.

Additional duty to raiſing ſeed. Sums appropriated, applied to no other purpoſe. 9 G. 3. c. 1. § 4, 8. p. 3, 6.

So long as the further bounty by *Britiſh* act, 15 G. 3. of 5*s.* *per* hogſhead, for ſeed imported into *Ireland*, continued. Exporter ſhall pay further 5*s.* 6*d.* *per* hogſhead cuſtom, above the duty by 3 G. 3. c. 12. unleſs oath of *Iriſh* growth. 15 & 16 G. 3. c. 4. § 1. p. 675.

Foreign ſeed exported, or attempted to be, without paying ſaid duties of 5*s.* and 5*s.* 6*d.* forfeited, and 20*s.* *per* hogſhead. § 2.

No premium under 3 G. 3. c. 12. 'till oath of the country and port whence, ſound and good, laſt ſummer's growth, for ſowing, not for oil or export. § 3.

Falſe oath 100*l.* and penalties. § 4.

Bounty 5*s.* *per* hogſhead, hemp or flax ſeed imported, growth of, and from *United Provinces*, or *Netherlands*, to 1ſt *May* 1778, ſubject as by 3 G. 3. c. 12.—15 & 16 G. 3. c. 7. p. 680.

Foreign Service.

25 G. 2. c. 12. continued to 24 *June* 1781, &c. 13 & 14 G. 3. c. 41. § 7. p. 611.

Forgery.

To forge, alter, procure, or aſſiſt, bills or ſecurities, for money or goods, value 5*l.* to defraud, or utter as true, felony, death. 13 & 14 G. 3. c. 14. p. 412.

G.

Game.

25 G. 2. c. 5. revived, continued to 24 *June* 1772, &c. 11 G. 3. c. 1. § 3. And to 24 *June* 1778, &c. 13 & 14 G. 3. c. 41. § 6. p. 611.

31 G. 2. c. 9. § 4. revived, continued to 24 *June* 1772. 11 G. 3. c. 1. § 4.

3 G. 3. c. 23. continued to 24 *June* 1772, &c. 11 G. 3. c. 1. § 5. And 2 years, &c. by 11 & 12 G. 3. c. 19. § 5.

3 G. 3. c. 23. and 31 G. 2. c. 9. § 4. continued to 24 *June* 1778, &c. 13 & 14 G. 3. c. 41. § 2.

Tracing hares in ſnow on other's ground, not under 10*s.* nor above 20*s.* every hare; determined ſummarily. 13 & 14 G. 3. c. 42. § 6. p. 614.

Killing game, uſing gun, dog, or engine by night, committed. § 7. Form of conviction. § 8. Appeal next aſſizes on recognizance with 2; a jury, if need. Final, not quaſhed for form, or removed by *certiorari*, &c. § 9.

3 G. 3. c. 23. and 25 G. 2. c. 5. continued to 24 *June* 1783, &c. with amendments. 15 & 16 G. 3. c. 32. § 2. p. 819.

To take, kill, have, ſell, or buy groufe between 1ſt *Saturday* in *Jan.* and 2d *Monday* in *Auguſt*, partridge or quail the 1ſt *Monday* in *Sept.* liable to penalties in ſaid acts. § 3.

Gaols.

County preſentment. 13 & 14 G. 3. c. 32. § 15. p. 521.

Breaking gaol to reſcue themſelves or others, tho' not capital offenders, felony death. Tried before thoſe enlarged. 15 & 16 G. 3. c. 21. § 19. p. 790.

Glebe.

Purchaſing houſes ready built, or lands fit, or perpetual leaſe, on certificate repaid by ſucceſſors. 11 & 12 G. 3. c. 17. § 1, 2. p. 213, 214.

Inſtead of 3-4ths, the full ſum in certificate received from ſucceſſor, not exceeding 2 years income. § 3.

Not extended to repairs or improvements to former buildings; received as before. § 4.

Where evidence of conſolidation and appropriation loſt, the whole value included in certificate. § 6.

Site changed with dioceſan's conſent; a new houſe erected on more convenient part with improvements; on certificate intitled to all encouragements. § 7.

Demands for the houſe changed releaſed; not obliged to repair. § 8, 9.

On dilapidation, monition to repair, or moiety ſequeſtered; repairs vouched in 12 months. § 10. Former laws (ſave as altered,) in force. § 11.

Tenant T. in poſſeſſion, may by deed exchange as a glebe, as by 1 G. 2. c. 15. enabled to grant, as under 2 *Anne*, c. 10. or other act. 13 & 14 G. 3. c. 27. § 1, p. 280.

Rectors, &c. may with body corporate for lands convenient of equal value. § 2.

Bodies corporate may by deed inrolled in 6 months endow with new glebe, not exceeding 40 acres, where none or not above 10, conſidered as glebe within the ſtatutes. § 3.

None intitled to certificate for 2 years income for improvements, unleſs completed and fit for reſidence as by approved memorials: but 3-4ths only of ſum expended. § 6.

Tenant L. in poſſeſſion may by deed exchange lands as glebe for incumbent as tenant T. by 1 G. 2. c. 15. under reſtrictions by 2 *Anne*, c. 10. or other act in force. 15 & 16 G. 3. c. 17. p. 752.

Endowment of church, &c. with new glebe purſuant to ſtatutes in force, tho' poſſeſſed of above 10 and under 20 acres, ſo as not above 40 in all. § 2.

Laws in force not altered, ſave as hereby. § 3.

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H.

Hawkers and Pedlars.

Licenced 2 years, paying 20*s.* yearly, and 20*s.* every beaſt. Collected as by 33 G. 2. c. 10. § 93. alehouſe-licence. 11 & 12 G. 3. c. 3. p. 88.

Note of manner of trading delivered to collector. § 2.

Trading without or contrary to licence, 5*l.* Refuſing to ſhew licence, 20*s.* or committed. § 3.

Collectors to licence. Fee 1*s.* if with horſes, &c. 2*s.* ſeparate accounts kept; paid into treaſury; for *Engliſh* proteſtant ſchools. § 4, 6.

Forgery or uſing forged licence 50*l.* and penalties. § 7.

40*s.* on conſtable neglecting. § 9.

Any may detain till licence produced; carry before a juſtice or collector; 5*l.* on conviction. § 10.

Exempted, ſelling printed papers, fiſh, fruit, real makers of wares, tinkers, &c. wool or ſtockings, frizes, flax, tow, hemp, yarn, ticken, linens, buckram, or canvaſs, if ſold only. § 11, 12, 13.

Iron pots, griddles, tho' with horſes, 20*s.* only. § 14.

Rewards by 3 commiſſioners. § 15.

Sale in cities or towns as before. § 16.

Licenced as aforeſaid 2 years. 13 & 14 G. 3. c. 9. p. 393.

Private conveying and ſelling in hired places, or on booths or ſtalls not adjoining dwelling; leather cutters, old cloaths criers, deemed within this act. § 17,

A ſeparate licence for every perſon or beaſt employed. § 18.

Inſpectors on oath appointed by the ſociety during this act. § 19, 20.

Licenced as aforeſaid, 2 years. 15. & 16 G. 3. c. 18. p. 754.

Hides.

Raw exported, except to *Great Britain*, 6*d. per* Hide. To raiſing flax ſeed. 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. § 2. p. 681.

Highways.

From *Dundalk* to *Dunleer* 41 years from 1ſt June 1774.—13 & 14 G. 3. c. 30. & 15 & 16 G. 3. c. 6. p. 679.

From *Liſtowell*. 7 G. 2. c. 11. (ſave as altered) 81 years. 13 & 14 G. 3. c. 31. p. 507.

5 G. 3. c. 14. repealed, except the repealing clauſe, and what relates to *Dublin* county. 13 & 14 G. 3. c. 32. § 1. p. 511.

Preſentment at aſſiſes to repair publick road, widen not above 31 nor under 21 feet; or new road from market to market or the ſea; except thro' deer park, &c. overſeers at 1*s. per l.* ſums neceſſary on barony or half barony. § 2.

For repair, affidavit by 2 before a judge or 2 juſtices. § 3. and by 1 overſeer before a judge. § 4. and for widening. § 5.

Where a boundary, half only preſented, if equal, on adjoining barony. § 6.

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For new road, and fences, 1*s.* *per* perch and wages, on county or barony. § 7.

Requeſter named; and affidavit before 2 juſtices of map depoſited 21 days, and owners or occupiers conſent, or not thro' deer park, &c. and 21 days notice to each occupier, diſtinguiſhing lands and baronies, and perches thro' each town land, and poſted 7 days. § 8. The like affidavits. § 9.

Traverſable at ſame or next aſſiſes unleſs cauſe; verdict concluſive. Old road ſtopped. § 10. Traverſable. § 11.

Veſtries in cities (except *Dublin* and *Cork*) corporate towns and in *Lurgan* may preſent for paving, gravelling, and cleanſing, or lamps; applotters 12*d.* *per l.* and directors on oath, 2*s.* *per* day employed; on inhabitants within the bounds. § 12. Oath at veſtry. § 13.

Carts, &c. uſed under 3 inch wheels and with ſprigs, forfeited with 5*s.* & 5*d.* to ſeiſor, the beaſt ſeiſed; delivered to pariſh officer, retained 24 hours, unleſs a warrant; oath in 24 hours by ſeiſors. 1*s* each beaſt to officer, obſtructing ſeiſure, 40*s.* Double toll or cuſtom paid; 5*l.* on receiver not obliging payment. 13*d.* toll at each turnpike; 20*s.* on gate keeper. 4 wheeled not under 6 inches, with flat nails, rolling 10 inches each ſide, middle ſpace from 4 feet 10 inches to 5 feet, pay only 2*d.* turnpike; 2 wheeled with 2 horſes, or cars, &c. 4 inches and flat nails, 1*d.* § 14.

Preſentment for bridge, gullet, or wall, and wages. § 15.

1 juſtice of 100*l.* a year may order 40*s.* on affidavit of 2 houſeholders to repair accidental bad ſtep; preſented on barony; but once between aſſiſes. § 17.

No materials raiſed from ſea ſhore, a publick road, or bulwark, penalty 5*s.* *per* load. § 21.

Raiſed in adjoining county. Drains made, not thro' deer park, &c. on ſatisfaction by 3 ſworn appraiſers, Obſtructing overſeer, 5*l.* § 30.

Preſentment for damages on the county. Notice to ſcour drains or clip hedges to 5 feet; on 10 days neglect, expence levied, and 18*d.* *per* day. § 31.

48 hours after notice to remove nuiſance within 21 feet of the centre, or make ſewers, warrant to appear and anſwer in 6 days. Fine 20*s.* § 31.

To build within 25 feet of centre, keep dog 50 yards without 5*lb.* block, ſteep or dry flax, burn weeds or brick in 100, lime kiln 50, cut or ſtack turf in 21 feet, injure mile ſtone, poſt, and other offences, forfeit 10*s.* Millſtone without wheel carriage, 40*s.* Timber without 3 inch wheels, 5*s.* § 32.

Laying filth on land in 3 miles of city 1 of town corporate, without covering, 5*l.* § 33.

Preſentment 12*d.* *per* perch for foot path with ſtiles not under 3 feet with conſent of occupier. Riding or driving thereon, 5*s.* § 38.

This act extended to counties of cities or towns. § 39.

Inſtead of the days in 11 G. 3. c. 9. for veſtries

veſtries in *Ulſter*, the 1ſt Tueſday in September. § 41.

Collectors of veſtry preſentment under 11 G. 3. c. 9. not paying directors, ſummoned by a juſtice of 300*l.* a year, and if no cauſe levied with coſts. § 42.

From *Tubber* to *Ennis* and *Limerick*, toll continued 41 years. 13 & 14 G. 3. c. 33. p. 539.

For publick roads in county of *Dublin*. 13 & 14 G. 3. c. 34. p. 550.

Such parts of 5 G. 3. c. 14. as relate to *Dublin*, repealed. § 1.

For repairing road from *Armagh* to *Newry*, 13 & 14 G. 3. c. 36.—19 § of 9 G. 2. c. 19. repealed. § 4.

9 G. 2. c. 19. and this act, continued 41 years. § 5.

From *Dublin* to *Kinegad* and *Mullingar*; and 5 G. 2. c. 16. & 7 G. 2. c. 21.—23 G. 2. c. 16.—6 G. 3. c. 14. ſave as altered continued 21 years, &c. 13 & 14 G. 3. c. 39. p. 596.

From *Athy* to *Leighlinbridge*. 25 G. 2. c. 19. amended. 15 & 16 G. 3. c. 12. p. 707.

From *Kilcullen* to *Timoho*, 9 G. 2. c. 23. amended. Continuance 61 years from 1ſt April 1776.—15 & 16 G. 3. c. 13. p. 708.

For making and repairing the *Circular road* 60 feet wide, in ſuch direction as by 15 truſtees ordered, turnpikes and tolls, inſtead of thoſe by 3 G. 3. c. 36. appointed, 15 & 16 G. 3. c. 28. p. 812.

7 truſtees may contract for purchaſe or rent of grounds, &c. and pay damages as by ſaid act, corporations, truſtees, &c. may treat and convey, on refuſal, power to ſummon juries, examine on oath, compenſation charged on tolls as by ſaid act, buildings pulled down, the ground laid into the new road, made a common highway, repaired, rents paid, and toll inforced, as by this and ſaid act. § 5.

All powers to truſtees not repealed continued. § 6.

Yearly ſuperintendant for ſouth and north diviſion, annoyances removed within 30 feet of centre, ditches cleanſed, &c. § 7.

Toll continued 41 years from 26 *April* 1776. § 8.

No grant at board till affidavit by 2 before 2 juſtices, nor payment by treaſurer till affidavit by overſeer of expenditure, and wages 18*d.* *per. l.* and exact account verified. § 9.

From *Timoho* to *Tipperary*, 13 G. 2. c. 14. ſave as altered, continued 41 years, &c. from 1 *May* 1776. 15 & 16 G. 3. c. 36. p. 827.

From *Dublin* to *Navan*, *Nobber* and *Kells*, 3 G. 2. c. 19. and 7 G. 2. c. 22. as amended, continued 2 years, &c. 15 & 16 G. 3. c. 37. p. 833.

Highways. Vid. *Turnpikes*.

Michaelmas veſtries held yearly in *Ulſter*, majority to preſent not under 1*d.* nor above 2*d.* *per* acre, as uſually rated, for repairing the pariſh roads for the year; overſeers choſen at not above 18*d.* each *per* day while employed; collectors 12*d.* *per l*; and directors, and applotters ſworn in a month before a juſtice; to applot in 2 months; and return to rector, &c. ſigned

ſigned and delivered to collectors, on refuſal levied by diſtreſs and ſale, paid to directors, by them to overſeers, as they think proper, directors to account on oath at *Michaelmas* veſtry, 11 G. 3. c. 9. § 1. p. 37.

Oath at veſtry (if deſired) of being proteſtant and worth 20*l.* above debts. § 2.

Where no veſtry or preſentment, the acts repealed by 5 G. 3. c. 14. in full force as to 6 days labour. § 3.

Grand jury in *Ulſter* not appointing collector as by 5 G. 3. c. 14. a warrant by county treaſurer to high conſtable to levy applotment with arrears on his barony; paid to treaſurer by 1ſt of next aſſizes; conſtables fee 6*d. per. l.* § 4.

Barony Preſentment for new, or repairing old roads thro' mountainous unimproved parts as ſuitable to the nature, and as aſcertained, and for overſeers not above 3*d. per* perch. 11 & 12 G. 3. c. 26. § 1. p. 260.

Previous affidavit before a judge or 2 juſtices; no payment till affidavit by 1 overſeer. § 2.

Not for fences, § 3. not to counties of towns. § 4.

The old road on the weſt of the *Griffin* at *Lucan* ſtopped, as ſoon as the new road finiſhed, 11 & 12 G. 3. c. 35. p. 331.

3 G 3. c. 30. for repairing the road from *Dublin* to *Dunleer* amended, and continued with this act 41 years, &c. from 1 *May* 1774. 13 & 14 G. 3. c. 28. p. 486.

For the road from *Cork* to bounds of *Tipperary*, and thro' *Clogheen* to *Donerayle*, 7 G. 2. c. 20. (ſave as altered) continued 31 years, &c. from 25 *March* 1774 for purpoſes of ſaid act and the act recited, 13 & 14 G. 3. c. 29.

Additional truſtees between *Kilkenny* and *Callan*. § 17.

Hops.

Loan duty ½d. *per l.* 9 G. 3. c. 2. § 7. — 11 & 12 G. 3. c. 2. 13 & 14 G. 3. c. 2. — 15 & 16 G. 3. c. 1. § 3. p. 649.

Hoſpitals.

County hoſpitals for *Leitrim* on a perpetual leaſe of 2 acres in *Mobill*. 13 & 14 G. 3. c. 42. § 4. p. 615.

Meath Hoſpital, as by 5 G. 3. c. 20. eſtabliſhed for county of *Dublin*, 13 & 14 G. 3. c. 43. p. 618.

The preſent phyſicians and chirurgeons appointed, may elect on vacancy; their ſalary of 100*l.* appropriated to the fund for neceſſaries. § 2.

Aſſignments, ſecurities, &c. by out penſioner of the Royal Hoſpital in reſpect of the penſion, void. 15 & 16 G. 3. c. 23. p. 795.

The primate, chancellor, biſhop, rector or vicar where Meath Hoſpital ſituated, and every contributor, incorporated governors, with like powers as by 5 G. 3. c. 20. for other county hoſpitals. 10*l.* donor perpetual; if 1 guinea,

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nea, annual. 15 & 16 G. 3. c. 31. § 2. p. 818.

Hoſpitals. Vid. *Poor.*

Houſes and ground, or other that may be taken, in ſouth ſuburbs of *Cork* veſted in truſtees for infirmary; incorporated, with powers to promote it. 11 & 12 G. 3. c. 23. p. 265.

Houſes.

No publick buildings included in any valuation under any act, nor charged with rates or taxes, 13 & 14 G. 3. c. 19. p. 426.

Valuator's Oath. § 2.

Not extended to an act (c. 22.) this ſeſſion.

Infants.

Annual veſtries as in cities by 11 & 12 G. 3. c. 15. held in every pariſh, *Dublin* and *Cork* excepted, overſeers to take up and provide for deſerted children of 12 months or under; ſums raiſed as pariſh ceſſes. 13 & 14 G. 3. c. 24. p. 472.

Aſſeſſed on inhabitants by value of houſes, and 11 & 12 G. 3. c. 15. § 3. As by miniſters money, repealed. § 2.

On miniſter's complaint of pariſh neglect ordered by judge of aſſize, as preſentments; not above 5*l.* each child; paid to the miniſter or curate. § 3.

Overſeer neglecting, 10*l.* with full coſts. § 4.

Infants. Vid. *Poor.*

Annual veſtries in cities (ſave *Dublin* and *Cork*) 1ſt week in *June* on 6 days notice excluſive; to chuſe 3 pariſhioners overſeers. 11 & 12 G. 3. c. 15. p. 201.

To take up and provide for deſerted children, not above 5*l.* each § 2.

Aſſeſſed by miniſter's money, by overſeers, where not rated. § 3.

Account on oath quarterly. § 5.

On death another choſen in 10 days at veſtry; 4 days notice. § 6.

Overſeer's oath in 6 days. § 7. Entries by overſeers; copies to the miniſters. § 8.

On neglect of pariſhioners; 3 named by the miniſter. § 9.

Inland Navigation.

Duties by 3 G. 2. c. 3. continued for uſe of the corporation 7 years from 25 *March* 1772. 11 & 12 G. 3. c. 4. p. 92.

When the navigation too expenſive for publick charge, the corporation may transfer the property to company of undertakers on ſcheme approved, propoſing to pay the eſtimate, and complete in limited time. An aid, not exceeding 1-6th, given out of ſaid duties to ſubſcribers; on proof of expending 5 times ſo much ſince contract. § 3.

On application for transfer of property 7 preſent; 30 days notice in Gazette; 15 preſent and aſſenting. § 4.

Deeds executed; ſubſcribers bound to

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to execution under a penalty or forfeiture of property. § 5.

Inland Navigation. Vid. *Partnership.*

The corporation may erect a lock croſs the *Shannon* at *Limerick*, and apply 1500*l.* of parliamentary grants; veſted with all powers. 11 & 12 G. 3. c. 24. p. 271.

Veſſels of 20 tons in ballaſt pay 2*d per* ton, laden 4*d*; foreigners 4*d* in ballaſt; 6*d* laden. § 3.

Enter to take dimenſions. § 4. Contract for making, repairing, and attending; and for that tranſfer property under ſeal. § 5.

Subſcribers may on plan approved purchaſe or take leaſes Y. of lands, or of bog parallel, not above 20 perch from water edge. 11 & 12 G. 3. c. 25. § 5. p. 273.

Duties granted by 27 G. 2. c. 3. continued 9 years from 25 *December* 1773 in part of *Liſburn* diſtrict, including parts excepted in ſaid act, levied as by 27 G. 2. c. 3. and 3 G. 3. c. 6. Said acts, ſave as altered, continued 9 years. 11 & 12 G. 3. c. 26. § 1. p. 276

Paid by vice treaſurer on draft by 7 local commiſſioners; expended on a paſſage between *Loughneagh* and *Belfaſt*. § 2.

Said duties aſſignable at ſtated meeting as ſecurity for ſums borrowed, or debentures given not under 50*l.* not exceeding legal intereſt, transferable by indorſement. § 3.

Continued 9 years from 25 *December* 1773.

Subſcription opened for 60000*l.* from *Dublin* to the *Shannon*, or as expedient. 11 & 12 G. 3. c. 31. § 1. p. 294. 5 *per cent.* depoſited. No ſubſcription under 50*l.* § 2, 3.

Subſcribers a company; incorporated; take and grant 500*l.* a year; may communicate with the *Liffey*, *Barrow*, and *Boyne*. § 4. Make rules; impoſe fines, not above 5*l.* bye laws under ſeal a juſtification; approved by lord chancellor and chief judges. § 5, 6. Appeal to ſeſſions in 6 months. § 8.

Joint ſtock in 50*l.* ſhares. § 9, 10. New ſhares ſold to new ſubſcribers, and added. § 11.

Every 5 ſhares 1 vote. Appear by proxy; 50 at aſſembly. § 12, 13. None above 4 votes in his own right; lord mayor, &c. 20 while poſſeſſed of 10000*l.* § 14.

Property and powers veſted in the company. § 16, 18, 19.

May purchaſe bog, 50 perch on either ſide. § 20. Turn rivulets, ſatisfying damage. § 21.

Draw water from the *Liffey*; the bore 2 feet 6 inches; make a cut and lock. § 22, 23.

Sole property of water veſted; may ſet or ſell redundant where caſual. § 25, 26.

Rates of navigating, not above 3*d. per* ton *per* mile; 2*d.* a lock; paſſengers 2*d.* § 27.

Proprietors intitled in proportion to intereſt; perſonal eſtate; not affected by popery, bankrupt laws, or foreign attachment. § 30. Bequeathed, or aſſigned, entered. § 31.

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Call for ſubſcriptions; not above 20 *per cent.* in 1 year; not paying in 30 days, ſold by publick cant on 30 days notice. § 32.

Turnpikes erected, and toll taken. § 33.

Profits paid half yearly. § 35.

Boat owners name and abode in capitals; booked, numbered, penalty 40s. § 36. Anſwerable for damage by crew. § 37. Obſtructing paſſage, &c. or abſent, 40s. § 38.

Throwing in rubbiſh, &c. or laying it on banks, 40s. or committed 3 months. Floating rafts 40s. and ſatisfaction for damage. § 39.

Opening or leaving open locks, &c. waſting water 3*l.* damaging works treble; impriſoned 'till paid. § 40.

May borrow at 5 *per cent*, not exceeding ſubſcriptions expended, and ſtrike debentures. § 41.

Duties by 27 G. 2. c. 3. continued 32 years from 25 *Dec.* 1782 in part of *Liſburn* diſtrict including parts excepted in 3 G. 3. c. 6. Said acts, and 11 & 12 G. 3. c. 26. (ſave as altered) continued 32 years from 25 *December* 1782. 13 & 14 G. 3. c. 12. § 1. p. 404.

Paid on draughts by 7 local commiſſioners, laid out on navigation and loan. § 2.

Aſſignable for loan not exceeding 10000*l.* by debentures at ſtated meetings; after 3 years from 25 *December* 1773, 500*l.* annually in addition; payment according to priority. § 3.

Creditors under 11 & 12 G. 3. c. 26. not prejudiced. § 4.

Remainder may be applied to the navigation. § 8.

Lender of 100*l.* and aſſignee a local commiſſioner while poſſeſſed of debenture; a woman may depute under ſeal; not above 1 vote. § 9.

Continued 41 years from 25 *Dec.* 1773. § 12.

Duties to ceaſe, as ſoon as equal in ſaid diſtrict provided. § 13.

And this act as ſoon as navigation compleated, debts and expences paid. § 14.

Agreement with the city of *Dublin* to pay 10*l. per cent.* on the produce from ſale of water confirmed. 13 & 14 G. 3. c. 22. § 23. p. 447.

Judgments.

9 G. 2. c. 5. as amended by 25 G. 2. c. 14. revived and continued as to aſſigning judgments, &c. to 24 June 1772, &c. 11 G. 3. c. 1. § 1. p. 23.

Aſſignees intitled as if ſaid acts not expired. § 2.

Perpetual by 11 & 12 G. 3. c. 19. § 3. p. 254.

3 G. 2. c. 7. made perpetual. 13 & 14 G. 3. c. 42. § 5. p. 616.

Juries.

29 G. 2. c. 6. perpetual. 13 & 14 G. 3. c. 41. § 1. p. 610.

Lace.

Gold or ſilver imported (except *Britiſh*) forfeited, with the ſhip, &c. and treble value. 9 G. 3. c. 1.

11 & 12 G. 3. c. 1. § 11.—13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. § 21. p. 689.

Lamps.

Veſtries as by 5 G. 3. c. 15. § 11. held between 1ſt and 15th Auguſt yearly; notice 1ſt Sunday; adjournment not above 20 days 13 & 14. G. 3. c. 20. p. 427.

Applottors not above 9 or under 5, on oath on inhabited houſes according to value; returned, confirmed, or altered in veſtry; levied as by former act. § 2.

Not above 10*s.* a year, nor under 1*s.* if a private globe, not above 5*s.* § 3.

Immediate occupiers charged for thoſe deriving under; where under ſeparate intereſts, apportioned. § 4.

5 G. 3. c. 15. § 12. as to miniſter's money, repealed. § 5.

Penalty on applotters 5*l.* Survivors or others may act. § 6.

On pariſhe's neglect, mayor and council to act. § 7.

5 G. 3. c. 15. not altered, in force. § 8.

This act 7 years from 1ſt May 1774, &c. § 16.

Veſtry preſentments; applotters 12*d. per l.* Directors 2*s. per* day. 13 & 14 G. 3. c. 32. § 12. p. 517.

Land.

Burning contrary to 17 G. 2. c. 10. or 1 G. 3. c. 17. inſtead of penalties therein, 5*l.* every *Engliſh* ſtatute acre above all rent. 11 G. 3. c. 2. § 3. p. 74.

Lawn.

Imported (ſave *Britiſh*) forfeited. 9 G. 3. c. 1.—11 & 12 G. 3. c. 1. § 11.—13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. § 21. p. 689.

Foreign offered as or denominated *Britiſh* or *Iriſh* forfeited and 50*l.* 11 & 12 G. 3. c. 7. § 12. p. 111.

Lime.

No kiln erected within lamps of *Dublin* or liberties. On conviction before a city juſtice, abated by ſheriffs. 11 & 12 G. 3. c. 28. p. 281.

Sold only by meaſure, ſtamped; a buſhel 20 inches in bottom, 21 at top; 8 gallons, 272 inches 1-4th each. Penalty 5*l.* by civil bill in 6 months. Proof on defendant. 13 & 14 G. 3. c. 37. p. 593.

Not burned within the lamps in kilns not erected before 24 *March* 1772. penalty 50*l.* ſuit in 6 months; ſummons to anſwer by lord mayor or any alderman; ſheriffs on warrant ſhall abate, 15 & 16 G. 3. c. 34. p. 822.

Limerick. Vide *Inland Navigation, Poor.*

Treaſurer's ſalary increaſed by preſentment; not above 20*l.* a year. 11 & 12 G. 3. c. 19, § 14. p. 259.

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Linen.

Loan duty on rags exported, 3*l.* *per* tun, 9 G. 3. c. 2. § 7. — 11 & 12 G. 3. c. 2. — 13 & 14. G. 3. c. 2. 15 & 16 G. 3. c. 1. § 3. p. 649.

Duties on import of brimſtone or ſaltpetre repaid on affidavit if uſed to make vitriol or aquafortis ſold for linen manufacture, 13 & 14 G. 3 c. 8. § 18. p. 391.

Lapper's name and county marked at one end, or forfeited, & 5*l.* counterfeit, pillory or tranſportation 7 years. 13 & 14 G. 3. c. 21. p. 432.

No payment for a mill, green, or other work; the fund applied for utenſils, premiums, officers, &c. § 2.

Ell-wides when brown 47 inches broad at leaſt. § 4.

Loan.

4 *per cent.* intereſt half yearly for 625000*l.* due 25 *December* 1769. 3*l.* 10*s.* for 30000*l.* 9 G. 3. c. 2. § 1. p. 6.

4 *per cent.* for loan not exceeding 100000*l.* § 3, 4.

Debentures given, and transferable by indorſement. § 5, 6.

Additional duties for payment of intereſt of ſaid ſums to 25 *December* 1771. § 7.

Drawback for ſubjects in 24, ſtrangers in 12, months. § 9.

Raiſed as by exciſe laws. § 18.

No fees on payments. § 22.

10000*l.* of tea duty to linen manufacture, 7300*l.* to hereditary revenue; the ſurplus with the other duties to intereſt of ſaid loans, then to the principal. § 23.

When ſurplus 30000*l.* debentures drawn by ballot. § 24.

Principal and intereſt paid without any deduction. § 25.

725000*l.* of ſaid loans due. Intereſt at the reſpective rates payable from 25 *December* 1771 without any deduction. 11 & 12 G. 3. c. 2. p. 71.

Further loan not exceeding 200000*l.* intereſt not exceeding 4 *per cent.* § 3, 4. And like debentures, § 5, 6.

Additional duties granted. § 7.

Creditors at 3*l.* 10*s.* *per cent.* deſiring paid out of ſurplus unapplied in 9 G. 3. c. 2. — 11 & 12 G. 3. c. 2. § 24.

Debentures drawn and cancelled. § 25.

The 725000*l.* firſt diſcharged. § 26.

For loan due 25 *December* 1773 intereſt at 4 *per cent.* additional and further additional duties, to 25 *December* 1775. 13 & 14 G. 3. c. 2. p. 342.

Surplus applied as by parliament. § 20.

100*l.* debentures may be exchanged for 4 of 25*l.* or 2 of 25*l.* and 4 of 12*l.* 10*s.* each. 13 & 14 G. 3. c. 2. § 14. — 15 & 16 G. 3. c. 1. § 15. p. 657.

Surplus duties applied to annuities; 5000*l.* to *Dublin Society*. 13 & 14 G. 3. c. 5. § 16. p. 365.

4 *per cent* intereſt on loan due 25 *December* 1775, 15 & 16 G. 3. c. 1. § 1. p. 647.

Additional duties to 25 *December* 1777. § 3.

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Applied to intereſt of loan due 25 *December* 1777; next to annuities reſidue as by parliament. § 22.

When ſurplus of duties by 13 & 14 G. 3. c. 2. and 15 & 16 G. 3. c. 1. amount to 10000*l.* loan debentures ſhall be purchaſed when at or under par, till the whole expended. Advertiſement for ſale at treaſury not above 12 days, loweſt firſt purchaſed, cancelled. 15 & 16 G. 3. c. 2. § 23, 24. p. 672.

M.

Markets.

Barriſters, phyſicians, attornies, ſurgeons exempted. 15 & 16 G. 3. c. 20. § 43. p. 781.

Markets. Vid. *Dublin.*

Sheriffs to ſummon and return 24 citizens to ſeſſions; 12 a Jury; ſworn one by one; 1 may viſit at ſeaſonable hours, and ſeiſe, carry with owners before Mayor; diſpoſed of as by law; act till next ſworn; penalty on jurors not above 6*l.* 13 & 14 G. 3. c. 20. § 9. p. 429.

Seiſe bread deficient in weight. § 10. Weights and meaſures under ſtandard. § 11.

7 years from 1ſt *May* 1774, &c. § 16.

Sheriffs of *Dublin* to ſummon and return 48 citizens to ſeſſions; 24 ſworn in court one by one as market jury; 3 at ſeaſonable hours to inſpect proviſions for ſale, if unwholeſome, fraudulent, or with foreſtallers, &c. ſeiſe and carry with owners before lord mayor; condemned and diſpoſed of; fine 10*l.* or impriſonment 1 month; to act till the next ſworn; if moleſted, fine and impriſonment. Juror not appearing or acting 5*l.* fines to the Blue Coat. 13 & 14 G. 3. c. 22. § 73. p. 465.

Militia.

12839*l.* 4*s.* granted in 1769 for a militia, and 7992*l.* for cloathing, applied to maintain a militia for 2 years from 24 *June* 1772 to 24 *June* 1774 as parliament ſhall direct. 11 & 12 G. 3. c. 1. § 12. p. 70.

Miners.

1 G. 3. c. 17. § 17. continued to 24 *June* 1778. &c. 13 & 14 G. 3. c. 41. § 9. p. 612.

Molaſſes.

20*s.* *per* cwt. 9 G. 3. c. 1. — 11 & 12 G. 3. c. 1. — 13 & 14 G. 3. c. 1. — 15 & 16 G. 3. c. 8. § 2. p. 681.

Mortgage,

When intereſt one year and half due, receiver appointed on petition and affidavit after time to ſhew cauſe, till all due diſcharged. 11 & 12 G. 3. c. 10. p. 152.

Muſlin.

6*d.* *per.* yard 9 G. 3. c. 1. — 11 & 12 G. 3. c. 1. — 13 & 14 G. 3. c. 1.

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c. 1. § 2. — 15 & 16 G. 3. c. 8. § 2. p. 681.

Additional 6*d.* *per* yard. 13 & 14 G. 3 c. 3. — 15 & 16. G. 3. c. 1. § 5 p. 652.

Mute.

On arraignment for murder, felony, or piracy, convicted; judgment & execution as if verdict or confeſſion. 13 & 14 G. 3. c. 16. p. 413.

N.

Nuiſance.

Conviction before an alderman valid. 13 & 14 G. 3. c. 20. § 13. p. 431.

Obſtruction to ſcavengers preſented; removed by ſheriffs; ſatisfaction by jury, § 14. not above 35*l.* one aſſiſes, nor 140*l.* in the whole. § 15.

7 years from 1 May, 1774, &c. § 16.

O.

Oaths.

Impoſed, or ſolemn engagement, fine, impriſonment, pillory, or whipping, not ſet forth in indictment. 15 & 16 G. 3. c. 21. § 21. p. 791.

P.

Paper.

1*s.* *per* rheam 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. § 2. p. 681.

Papiſts.

8 *Anne*, c. 3. § 18. as to encouraging prieſts to conform continued 11 years, &c. 11 & 12. G. 3. c. 19. § 1. 254.

Time for conforming by 3 G. 3. c. 26. § 3. enlarged to 24 June 1772, &c. 11 G. 3. c. 1. § 6. & 6 years, &c. § 7.

May take leaſe 61 years of 50 acres of bog. 11 & 12 G. 3. c. 21. § 1. p. 262.

Prieſt conforming, approved and received by dioceſan, 40*l.* yearly maintenance till preferred; ſubject to ſuſpenſion or deprivation; requiſites 8 *Anne*, c. 3. performed. 11 & 12 G. 3. c. 27. § 1. p. 279.

Levied where reſident as grand jury charges; paid moietively. § 2.

To read Liturgy weekly, and preach in *Engliſh* as directed. § 3.

No curacy a preferment, unleſs ſalary above 40*l.* § 4.

Continued 7 years from 24 June 1772, &c. § 5.

Proteſtant titles, &c. not impeached under popery laws on any right accrued 20 years before 1ſt of the ſeſſion, and ſome perſon

ſon of full age, &c. in being who might have ſued. 13 & 14 G. 3. c. 25. p. 474.
Former judgments, &c. not prejudiced. § 2.
May before B. R. a juſtice or magiſtrate, where reſident, take and ſubſcribe an oath of allegiance and declaration. 13 & 14 G. 3. c. 35. p. 589.
Liſts of ſuch returned yearly in 21 days after 1ſt December to clerk of council. § 2.

Magiſtrates may by night or day ſearch for and ſeiſe arms and ammunition of papiſts, or ſo reputed, or in truſt for them; enter houſes, &c. or of any others where reaſonable ſuſpicion; preſerved for king's uſe; but if forcibly taken redelivered. On ſuſpicion of concealment ſummoned and examined on oath. 15 & 16 G. 3. c. 21. § 15. p. 788.
Such examination not in evidence againſt the party. § 16.
Refuſal, hindering delivery, &c. fine and impriſonment or corporal puniſhment. § 17.

Pariſhes.

No appropriate cure made perpetual purſuant to 11 & 12. G 3. c. 16. § 9. without the archbiſhop's conſent under ſeal, and regiſtered. 13 & 14 G. 3. c. 27. § 4. p. 483.
No diſappropriation without conſent of dean and chapter under ſeal, 2-3ds. preſent. § 5.
Biſhops may erect new churches or chapels where proper. 11 & 12 G. 3. c. 16. p. 203.
Bounds ſet out by inſtrument with incumbent's conſent; regiſtered in the dioceſe and inrolled; deemed diſtinct pariſhes, named, and perpetual cures; the curates capable of endowment; corporate; may with conſent build and improve on glebe; and intitled from ſucceſſor as others. § 2.
No perpetual curate obliged to pay predeceſſor above 50*l.* Firſt fruits to advance not above 150*l.* to build on plan approved. § 3.
Veſtries for each new pariſh on notice; churchwardens choſen; on failure, by the biſhop; annual from Eaſter; aſſeſſment as for others. § 4.
Curate nominated by incumbent; approved and licenced; by the biſhop on neglect 2 months; ſalary above endowment. § 5.
Incumbent by deed with conſent inrolled endowing with competent glebe or tithes, diſcharged ſalary. § 6.
Pariſhioners diſcharged repairing other; parochial officers elected in veſtry; and aſſeſſments. Clerk intitled as the antient; all parochial rights; incumbents ſaved. § 7. Parochial duties as before. § 8.
Appropriate cures perpetual, with conſent under ſeal regiſtered; capable of endowment; corporate; may build, &c. as aforeſaid. § 9. and dignitary endowing diſcharged ſalary. § 10. but not parochial duties. § 11. to nominate curate as aforeſaid. § 12.

C. governor as by 2 G. 1. c. 14. may unite and diſappropriate, and erect into new. § 13.
His conſent under ſeal valid as if by patent. § 14. inrolled in 6 months. § 15.
Land occupiers as to ceſs for church charges, pariſhioners; whether reſident or not, and an union or not, § 17.

Parliament.

Speaker's warrant to crown clerk during receſs above 20 days for new writs on certificate by 2 members of the death, and notice in Gazette forthwith; warrant in 14 days after unleſs a previous meeting. 11 G. 3. c. 10. p. 40.
Return of writ electing deceaſed member brought to the Hanaper 15 days before end of preceding ſeſſion; and no petition or queſtion depending. § 2.
On preſenting petition of undue election a time appointed to conſider it; the ſpeaker's notice forthwith to parties or agents, with order to attend. 11 G. 3. c. 12. p. 53.
Not within 14 days after ſeſſion commenced, nor after return to the office. § 2.
The time altered on like notice and order. § 3.
If 60 not preſent, or if at drawing by lot 37 not compleated, adjourned from day to day 'till 60 attend. § 4.
When 60 preſent, parties counſel, or agents ordered to the bar; the door locked; order read; names drawn by lot, 'till 37 preſent drawn. § 5.
Names ſet aſide of voters at the election; of petitioners, *et e con.* or where return not in 14 days. § 6.
Excuſed if 60 years old on requeſt and oath. § 7.
Or ſerving in ſuch committee the ſame ſeſſion throughout, unleſs the number, who have not ſerved, inſufficient. § 8, 9.
Other excuſe on oath entered, and opinion of the houſe taken. § 10.
Others drawn inſtead 'till 37 compleat; nominee on each ſide added. § 11.
Set aſide for ſame cauſes; or excuſed, if required; another named. § 12.
The door then opened; liſts of the 37 to each ſide, who ſhall immediately withdraw with the clerk; ſtrike off alternately 'till reduced to 13; delivered to the houſe in an hour by the clerk; ſworn with nominees, and a ſelect committee to try the merits; and meet in 24 hours at place adjacent. § 13.
Houſe continued on withdrawing; the 39 not to depart 'till meeting fixed. § 14.
Another drawn in place of nominee; want of nomination ſupplied by drawing; like objections; 15 in the whole. § 15.
Clerk to prepare the names; put into a box in the Speaker's preſence, ſealed and atteſted by Speaker; names undrawn may be required to be read. § 16.

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Chairman elected at meeting; casting voice to first drawn. § 17.

Committee may send for persons, papers, &c. examine on oath, by merits, determine by majority; final; entered on journals, and necessary directions given. § 18.

Adjourned not above 24 hours without leave on special cause. § 19.

Sunday or *Christmas* day excepted. § 20.

No absence without leave or excuse on oath allowed; never to sit 'till all met; if not in one hour, reported. § 21.

Absentees reported; ordered to attend, and into custody, punished or censured unless sudden accident or necessity on oath. § 22.

If more than 2 absent, adjourned 'till 13 meet. § 23.

Reduced under 13, 3 sitting days dissolved; another chosen; former proceedings void. § 24.

Resolutions reported with the determination; order thereon. § 25.

Summons disobeyed, or witness misbehaving, reported. § 26.

Committee may deliberate by themselves; determine by majority; casting voice to chairman. § 27.

13 present, no vote unless attending every sitting. § 28.

Oaths administered by respective clerks; perjury punished as by law. § 29.

No previous business, save swearing members. § 30.

Committee to apply or report may adjourn to same day as the house. § 31.

Where distinct interests, the same notice and orders; each shall successively strike off from the 37; lists to all; nominees by the 13; reported in 1 hour; like objections; others chosen; all sworn at the table. § 32.

No member at ballot to depart 'till meeting fixed. § 33.

Continued 7 years, &c. § 34.

Perpetual. 13 & 14 G. 3. c. 15. p. 413.

Suits not impeached or delayed by privilege. Inherent privilege of peers not infringed. Commons persons not arrested. 11 & 12 G. 3. c. 12. p. 191.

Continued to 24 *June* 1778, &c. § 3. And 10 years from 24 *June* next by 15 & 16 G. 3. c. 30. p. 816.

11 G. 3. c. 10. shall not require notice in Gazette or warrant for new writ, where member's death not certified so as there may be 14 days notice before meeting; or where petition presented and depending. 15 & 16 G. 3. c. 11. p. 705.

Said act extended to members becoming peers during recess above 20 days on certificate by 2 of summons under great seal. § 2.

Like notice and regulations as on members dying during recess. § 3.

Where poll demanded, and above 400 electors at any former, a deputy appointed to take at same time and place or nearest convenient. Adjournment from day to day, unless consent of all candidates. Previous oath by officer and deputy, if by any

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elector required. 15 & 16 G. 3. c. 16. p. 745.

Deputy removeable, and another appointed; ſhall on notice each day cloſe poll book; deliver it immediately; the numbers totted, read aloud, and entered in court. Refuſing to deliver, or continuing poll after, 500*l.* Votes after admitted void; but may be given before the officer. § 2.

Removal, new appointment, and notices publick. § 3.

Poll not cloſed on riot; adjourned from time to time; when ceaſed, proceeded on. Violent interruption, effacing, altering, or deſtroying any part of poll book, taking or ſecreting ſuch or the precept 7 years tranſportation. § 4.

Caſting voice to officer whether qualified or not. Returning more than by writ required 2000*l.* and incapable to vote. § 5.

Rent charge declared if required. None under 20*l.* a year. § 6. No fee farm a rent charge. § 7.

Freeholder's oath (inſtead of that by 21 G. 2. c. 10. § 3.) if required. § 8.

Oath where by marriage, ſettlement, deſcent, preſentation, deviſe, or promotion. § 9.

Convert's oath. § 10.

Regiſtry of freehold muſt appear. § 11.

Inhabitant's oath, concluſive. No further ſcrutiny. § 12.

Perjury proſecuted by indictment, &c. § 13.

After teſt of writ of ſummons no gift, entertainment, promiſe, or engagement, &c. § 14. Or diſabled to ſerve. § 15.

Partnerſhips.

Any number may contract for inland navigation or joint inſurance againſt fire by ſuch common ſtock as by the majority; not paying in 3 months after ſummons, guardian or truſtee in 9, the ſhare ſold by publick cant. 11 & 12 G. 3. c. 25. p. 273.

Advertiſed 8 times in Gazette; payment to perſons intitled; expence and proportion of debts deducted. § 2.

Guardian or truſtee may go on; pay the ſhare; ſell to beſt advantage; accountable at full age. § 3.

Shares perſonal, not ſubject to popery laws. § 5.

Peers.

On trial for treaſon, the overt act againſt the King's perſon or title, or miſpriſion thereof, all having right to ſit and vote ſummoned 20 days before; ſhall vote, firſt taking oaths 1 W. and M. and declaration, 30 C. 2. 15 & 16 G. 3. c. 29. p. 816.

Pipewater.

Every houſe owner or occupier in *Dublin* ſhall provide one branch as uſual from the main. 15 & 16. G. 3. c. 24. p. 795.

And pay rate to the corporation; paying 15*s.* miniſter's money, 20*s.* annually; from 10*s.* to 15*s.*

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15*s.* under 10*l.* 10*s.* § 2. or as rated by workhouse. § 3.

Where divers tenants, levied from owner or occupier of any part, and allowed out of rent. § 4.

Used in occupations or manufactures, paid for as by agreement with the city; not above 20*l.* a year each. § 5.

If not paid 21 days after demand, diſtreſs on lord mayor's warrant with conſtable; ſale after 21 days; coſts by 2 juſtices. § 6.

No treſpaſs on irregularity: but damages in *caſe*, § 7. unleſs tender of amends before action; defendants before iſſue may pay into court. § 8.

The corporation conſervators from the Baſon, as by 6 G. 1. c. 16. may lay down mains, & regulate works. § 9.

1-4th of rent retained on want of water 21 days ſucceſſively thro' negligence, corruption, or inattention. § 10.

Rents demiſed or mortgaged under common ſeal; copies entered. § 11. Transferable by indorſement. § 12. So *toties*; not after in aſſignor's power. § 13.

Creditors in equal degree; no preference. § 14.

Perſonal property not affected by popery laws. § 15.

6 G. 1. c. 16. in force, ſave as altered. § 16.

General iſſue pleaded, &c. double coſts; and return of diſtreſs. § 17.

No rent for the water by title not under the corporation. § 18.

Saving right of others. § 19.

33 H. 8. c. 15. and 10 & 11 C. 1. c. 4. repealed. 11 & 12 G. 3. c. 30. § 1. p. 284.

A corporation created in every county or of city or town; the biſhop preſident at meeting, or repreſentative firſt coming, or chief magiſtrate, or oldeſt juſtice; 4 at meeting; notice of meeting 6 days for corporate acts; 5 to act; elect others reſident and contributors of 20*l.* or 3*l.* annually; make bye laws, appoint committees; take 500*l.* a year, all perſonal; leaſes not above 21 years. § 2.

And alſo 2 roods in towns, 20 acres in the county, for ſites. § 3.

Biſhops notwithſtanding 10 & 11 C. 1. or other law may grant ſuch lands for ſites, badges and licence to poor reſident 1 year, juſtices licence to deliver. § 4.

Hoſpitals built when funds ſufficient, plain, durable, at moderate expence; in 4 diviſions. § 5.

Beggars without licence and badge kept in ſtocks; perſevering indicted at ſeſſions, impriſoned. whipped. § 6.

Salaries to perſons appointed to ſeiſe and carry before next juſtice; committed on oath of offence, unleſs bail to next ſeſſions; the crime ſpecified in the warrant, children under 10 inſerted in parent's licence, or ſuch as thought fit conveyed to the committee; fatherleſs and deſerted under 8 to charter ſchool, the reſt

reſt apprenticed, the ſociety to inform committees when room; communicated to the perſons to take up ſuch children. § 7.

Taken to houſes of induſtry to hard labour; corporal puniſhment on ill behaviour, 1ſt commitment 2 months, 2d 4, 3d 1 year, 4th 2, 4 after; on miſapplication of revenues, ſuit in Chancery or Exchequer in name of attorney general. § 8.

Preſentment at ſpring aſſiſes, paid to the corporations, not under 100*l.* nor above 200*l.* for counties of towns 200*l.* and 400*l.* counties at large. § 9.

Counterfeit or borrowed badge, 10 days impriſoned. § 10.

Not continued in ſtocks in evening, unleſs in act of begging.

Clergy appointed to preach and collections admitted. § 11.

All places within 2 miles of *Dublin* Caſtle, in liberties or county at large, ſubject only to the corporation by 11 & 12 G. 3. c. 30. for county of the city. 13 & 14 G. 3. c. 46. p. 627.

County grand jury at Eaſter to preſent as by ſaid act, and hand over to city corporation in proportion to the poor received from the county. § 2.

Beggars and vagrants received in houſe of induſtry from the county corporation and magiſtrates, § 3. Any member may commit till next board. § 4.

News criers, ſhoe cleaners, baſket carriers, without licence committed as vagabond. § 5. And vending ſmall wares, unleſs licenced as hawkers. § 6.

The corporations ſhall apply to dioceſan for annual ſermon for the charity between 1 *January* and *May*. § 7.

Houſe of induſtry may detain till expence of cloathing reimburſed. § 8.

Lord mayor preſident; or city repreſentative, or ſeniot juſtice, or a member appointed. § 9.

May meet out of the county of *Dublin*. § 10.

A corporation erected for *Belfaſt*. § 12, 13. Grounds veſted for the poor. § 15.

33 H. 8. c. 15, and 10 & 11 C. 1. c. 4. in force in *Wexford*, *Armagh*, *Wicklow* and *King's County*, where 11 & 12 G. 3. c. 30. not carried into execution. § 21.

County corporation for *Limerick* may erect buildings for houſe of induſtry on a lot of city corporation, deemed in county at large, county grand jury may preſent. 15 & 16 G. 3. c. 35. p. 823.

May unite by writing under ſeal, 30 days notice. § 2, 3.

Each may act in their juriſdictions. § 4.

A corporation for *Colerain*. § 5. 1 guinea ſubſcribers members for 1 year. § 6.

Poſſeſſion.

25 G. 2. c. 12. continued to 24 June 1781, &c. 13 & 14 G. 3. c. 41. § 7. p. 611.

Preſentments.

On county for ſeſſions or work-houſe, gaol, bridge, gullet, or wall

wall for roads. 13 & 14 G. 3. c. 32. § 15. p. 521.
On affidavit by 2 of reasonable charge, and necessary. Estimate annexed if new or rebuilding. Not paid until affidavit of 1 overseer allowed. Where above 100*l.* and part done, payment not above 2-3ds. ordered, and security to finish. § 16.
Where a county boundary, half presentment; equal on the adjoining. 1 Justice of 100*l.* a year freehold may order 5*l.* to repair sudden damage on affidavit by 2; presented on county next assizes on overseer's affidavit. § 17.
On overseer's death before account, payment on affidavit of expending. § 18.
Representment of money in treasurer's hands for other work. § 19.
For secretary and interpreter, 5*l.* each. 10*l.* to crown clerk for fees on discharge and attendance. 10*l.* to peace clerk. 100*l.* survey and map; for 1 half year's rent of court house, &c. 20*l.* for gallows, bolts, &c. Conveying prisoners, 6*d. per* mile. Bills of cost for publick money, verified. § 22.
No payment without affidavit of expending. § 23.
8*l.* for 4 sub-constables every barony. Grand juries to appoint barony Collectors; 9*d. per l.* wages on treasurer's certificate; and collector's bond with 2 sureties. Deputy collectors under seal. On failure of appointment high constable collector; and wages on security. § 24.
Treasurer on demand or in 10 days to give copies to overseer. § 25. and warrants to collectors in 1 month after receipt; naming the manors, &c. the sum, and portion as in county book or usually rated; paid to treasurer by 2d of next assises. § 26.
Receiver in 10 days shall send to seneschals, rectors, &c. or principal resident, if required by 2 landholders, or if necessary, and desire applotment; notice thereof posted in 6 days, penalty 10*l.* applotters chosen; on oath; delivered in 30 days, penalty 10*s. per* day; fees 10*s.* if no full applotment returned in 36 days the whole denomination, or any part, distrained. Presentment for arrears on barony; if by collector's insolvency, on county or barony; if recovered, paid to treasurer; presented for works in county or barony. On oath by 2 within 1 year of deceit by affidavit for discharging query, fine, or process against overseer. § 27.
Collector dying before receipt, appointed at sessions on security till by grand jury. § 28.
Presentment traversable. § 29. tried on entry in crown book, if sufficient in substance. § 30.
Judges warrant in nature of execution by sale or rents and profits, to levy arrears by treasurer, &c. Judges of assise to determine offences, and fine. § 34.
This act extended to counties of cities or towns. § 39.

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Priſoners.

Remanded with indictments where treaſon or felony charged and proceeded as if never removed into B. R. 11 & 12 G. 3. c. 34. p. 339.

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Qualifying.

Time to perſons in office or employment to 1 Auguſt 1774. 11 G. 3. c. 3. p. 29.

Not extended to juſtices left out of commiſſion, and afterwards inſerted. § 3.

Time to 1ſt Auguſt 1774. 11 & 12 G. 3. c. 29. p. 282.

Officers, preferred and qualifying in *G. Britain*, not obliged thereto on arrival in *Ireland*. § 2.

Further time to 1ſt Auguſt 1775. 13 & 14 G. 3. c. 13. to 1ſt Auguſt 1776. 15 & 16 G. 3. c. 5. p. 677.

Quarantine.

Veſſels, perſons, goods, from ſuſpected places obliged to quarantine as by C. governors and council by proclamation; not landed or reſhipped till diſcharged, unleſs on licence ſo notified; receiving goods or perſons thereout ſubject. 11 G. 3. c. 11. p. 41.

On ſhips attempting to enter port the officer at convenient diſtance ſhall interrogate; true account given of the veſſel, commander, lading, crew, paſſage, &c; if obliged to quarantine, all officers on notice and aſſiſtants may force to repair to place appointed; commander concealing infection or his coming from infected place; felony death; not truly diſcovering other particulars, 200*l.* to K. and proſecutor. § 2.

Quitting ſhip, or knowingly ſuffering others, unleſs licenced or not repairing to place appointed in due time, penalty 500*l*; all perſons may force to return on board; penalty 6 months impriſonment & 200*l*. §. 3.

Ships or lazarets provided; and ſheds or tents for the goods in places approved by 2 juſtices under hand and ſeal in waſte or common; where not ſufficient, in any grounds, except houſes, parks, &c. paying as agreed with 2 appointed; any difference ſettled finally by jury at ſeſſions. § 4.

Proper officers ſhall compel performance. § 5.

Not performing after due notice, eſcaping or attempting it, watchmen, &c. may compel by force; refuſal or neglect in convenient time, or actual eſcape, felony, death. § 6.

Subject to orders by proper officers; aſſiſtance, if neceſſary called and required. § 7.

Perſons entering lazaret, &c. attempting to return without licence; compelled to quarantine; eſcaping, felony, death. § 8.

Neglect of duty, forfeiture of office

fice and 100*l.* embezzling, treble damages and full coſts. § 9.
Goods ſpecified in orders notified, if imported liable to quarantine. § 10.
On oath and certificate without fee of due performance ſhip and perſons diſcharged. § 11, 12.
Goods after performance opened and aired as by order notified; diſcharged on oath of 2 witneſſes and certificate of cuſtomer and a juſtice without fee. § 13.
Taking fee or reward, 100l. § 14.
Deſerting duty, or permitting departure or conveyance without licence or falſe certificate knowingly, or concealing from officers, or clandeſtinely conveying letters or goods, felony, death. § 15, 16.
Proclamation during infection reſtraining veſſels under 20 tons from ſailing till bond given by the maſter with 300*l.* ſureties not to touch at places ſpecified, or board or receive perſons or goods from veſſels at ſea; no fee thereon; ſailing before ſecurity forfeited, and 20*l.* by the maſter and every mariner; if no diſtreſs 3 months impriſonment. § 17.
Proclamation read in churches. § 18.
Continued 7 years, &c. from 1 May 1771. § 21.

Quit Rent, &c.

3 G. 3. c. 22. revived and continued 10 years, &c. 11 & 12 G. 3. c. 19. § 6. p. 256.

R.

Reſcue.

On mittimus for treaſon, felony, &c. before lodged in gaol, felony, death. 15 & 16 G. 3. c. 21. § 20. p. 791.

Revenue.

Reſiſting with arms officer's entry or ſeiſure on board, in harbour, or 3 leagues, the veſſel, guns, &c. and prohibited goods forfeited. 11 & 12 G. 3. c. 7. § 13. p. 110.
Unleſs contrary to intent and endeavours of majority of the crew. § 14.
Magiſtrates, &c. ſhall aſſiſt revenue officers; ſaved harmleſs; writs of aſſiſtance under exchequer ſeal on application of ſolicitor on order of 3 commiſſioners. 13 & 14 G. 3. c. 8. § 4. not uſed under a ſurveyor, unleſs order by a ſuperior. § 5.
Brewers or diſtillers refuſing entrance or to remain to gauge, &c. forfeit 30*l.* 15 & 16 G. 3. c. 15. § 1. p. 728.
Goods taken from cuſtom-houſe quay, liquors in 3 working days, dry goods in 6. Penalty 2*s.* *per* day every caſk or package. § 3.
Seiſed, and ſtored; and ſold by auction for payment, if not in 3 months. § 4.
No auction on ſaid quay, unleſs by commiſſioners for duties; penalty 20*l.* § 5. or damaged goods in 6 days

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6 days after landing on ſurveyor's report. § 6.

Spirits, except cordials in caſks under 50 gallons, teas except from *Great Britain*, tobacco under 500*l.* in port or three leagues, tho' bulk not broke, or attempt to run, unleſs notice and proof of neceſſity, the veſſel, tackle, &c. forfeited, beſides other penalties. § 7.

Reſiſting entrance, ſearch, or ſeiſure on board within limits, in 11 & 12 G. 3. c. 7. § 13. tho' not with arms, the ſhip, &c. forfeited. § 8.

Surplus goods found, for which no permit or certificate of entry, deemed run. § 9.

No writ of appraiſement or delivery without conſent of 3 commiſſioners in writing. § 10.

Conſtable not attending where neceſſary, 40*s.* or 1 month impriſoned. § 15.

Securities for goods run, or ſo intended, void as between parties and all having notice. § 29.

Penalties levied and applied as by 14 & 15 C. 2. c. 8. ſave otherwiſe provided. § 31.

Continuance 2 years from 24 June 1776, &c. § 32.

Revenue. Vid. *Exciſe.*

33 G. 2. c. 10.—2 G. 3. c. 7.—3 G. 3. c. 21.—6 G. 3. c. 16.—8 G. 3. c. 27. continued to 24 June 1772, &c. 11 G. 3. c. 13. p. 62.

Continued 2 years, &c. ſave as altered. 11 & 12 G. 3. c. 7. § 17. p. 113.

Clauſes in 2 G. 3. c. 7. as to commiſſioners appointment, remain perpetual. § 18.

Penalties, ſave otherwiſe provided, levied, and applied as by 14 & 15 C. 2. c. 8. with like appeal. § 19.

11 & 12 G. 3. c. 7. continued 2 years, &c. from 24 June 1772. § 20.

Revenue laws ſave as altered, continued 2 years. 13 & 14 G. 3. c. 8. § 19. and 15 & 16 G. 3. c. 15. § 30. p. 744.

Riots, &c.

5 G 3. c. 8. continued to 24 June 1772, &c. 11 G. 3. c. 1. § 8. and 7 years. &c. 11 & 12 G. 3. c. 19. § 8. p. 257.

To deſtroy or begin to deſtroy houſes, mills, &c. in *Antrim*, *Down*, *Armagh*, *Derry*, or *Tyrone*, ſend or publiſh extorting or threatening letter or paper, obtaining arms forcibly, ſhooting with intent to kill, wound, or maim, felony without clergy. 11 & 12 G. 3. c. 5. p. 96.

If 5 by force obſtruct collecting publick money, or reſcue perſons in cuſtody under 29 G. 2. c. 12. and 5. G. 3. c. 8. or this act, impriſoned not above 7 years and whipped. § 2.

If not in cuſtody indicted for offence againſt 29 G. 2. c. 12. or 5 G. 3. c. 8. or this act, treaſon or murder, certificate of crown clerk returned to ſecretary, order of council to ſurrender to a magiſtrate in 50 days; publiſhed in 10; proclaimed by ſheriff in 6 market towns, and copies affixed,

fixed; not ſurrendering, deemed convict; judgment thereon. § 3.
Concealing, abetting, &c. after the time expired, impriſonment not above 4 years. § 4.
If taken before time expired, tried. § 5.
Indictment tried before commiſſioners in county or city of *Dublin* by *certiorari*; no challenge to array or polls, ſave want of freehold and due challenges to jurors. § 6.
Expences preſented next aſſiſes on county, barony, or pariſh, where offence, § 8.
If acquitted, G. jury may reimburſe, not above 20*l*. § 9.
May preſent the whole or any part of damages; levied as road money. § 10, 11.
Notice by claimant in 24 hours to next village; information on oath in 4 days; and bound to proſecute next aſſiſes. § 12.
Preſentment above 20*l*. traverſable; if againſt traverſer concluſive, and 5*l*. coſts. § 13.
Notice of intent to recover damages to the conſtable. § 14.
Continuance 2 years, &c. § 16.
Sheriff to advance 5*l*. to offender before removal, repaid by preſentment. § 17.
11 & 12 G. 3. c. 5. repealed by 13 & 14 G. 3. c. 4. p. 357.
No indictment on 5 G. 3. c. 8. for offence after 1ſt March 1776. in force as to offences before. 15 & 16 G. 3 c. 21. p. 783.
Armed with offenſive weapon, or diſguiſed, or unuſual badge, dreſs, or denomination, aſſembling by day or night, a miſdemeanor; fine, impriſonment, corporal puniſhment, and ſecurity. § 2.
If aſſembling, ſhoot at, maim, or diſfigure, ſend extorting or threatening letter, procure to join therein, compel to quit abode or employment, or attempt it, felony, death. § 3.
Before 6 in forenoon to aſſault or injure habitation or property, break into houſe, &c. by menace, open door, forcibly take horſe, weapon, money, or goods, or cauſe delivery by threats, felony, death. § 4.
Said offences between ſunriſe and ſet fine, &c. § 5.
Juſtice or peace officer, commanding aſſiſtance of all of age and ability may apprehend, diſperſe, and reſiſt; indemnified on killing or hurting. § 6.
To aſſiſt, ſuccour, or conceal, ſuch felons, death. § 7.
On petition and proof next aſſiſes preſentment for ſatisfaction. § 8. traverſe if above 5*l*. § 9.
Notice in 48 hours or reaſonable time to town or village near; and in 6 days to conſtable and church wardens reſident; publiſhed in market towns. Examination on oath in 6 days after before a juſtice as to knowledge of the parties; recognizance to proſecute. § 10.
Preſentment read in court next aſſiſes; if too near, the enſuing. § 11.
Not removed, delayed, or quaſhed for form. § 12.
Copies by crown clerk. § 13.

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Offences againſt 5 G. 3. c. 8. unleſs murder, arſon, &c. pardoned on ſurrender by 1ſt Auguſt 1776, and recognizance. § 14.

50*l.* reward by preſentment to maimed or wounded in apprehending, &c; 100*l.* to executors, &c. of thoſe killed. § 18.

Summoned to give evidence; examined on oath; recognizance to proſecute. On refuſal impriſoned. Not evidence againſt the party unleſs perjury. § 22.

Signals for meeting a miſdemeanor. acceſſaries tried, tho' principals not taken. § 23.

Juſtice in foreign county may act; return examinations, &c. next aſſiſes where offence; attend and teſtify, unleſs cauſe by affidavit. § 24.

Former laws in force. § 25.

Not extended to peaceable meetings, ſports, &c. § 26.

Read at aſſiſes and ſeſſions. § 27.

2 Juſtices may ſummon on ſuſpicion; recognizance to appear, &c. impriſoned on refuſal. § 28. Continued to 24 June 1778.

Vide *Gaols*, *Oaths*, *Papiſts*, *Reſcue*.

Roads. Vid. Highways, *Turnpikes*.

Romalls.

6*d. per* yard. 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1.—15 & 16 G. 3. c. 8. § 2. p. 681.

S.

Schools.

Hawker's duty to *Engliſh* proteſtant ſchools. 11 & 12 G. 3. c. 3. p. 88.

Biſhops, and eccleſiaſticks with their conſent, tenant L. immediate remainder to iſſue in tail, may demiſe 30 acres to the ſociety in perpetuity, reſerving improved value; if applied to the charter-ſchools or nurſeries. § 17, 18.

Like duty. 13 & 14 G. 3. c. 9. p. 393.

Biſhops and eccleſiaſticks may demiſe as aforeſaid, taking no fine or foregift. § 21.

Primate may leaſe, maſters parties, not above 21 years, reſerving at peril of leſſees 3-4ths of true value, and no power to waſte; a verdict peremptory. 11 & 12 G. 3. c. 17. § 12. p. 213.

Fines laid out on ſchool-houſes or otherwiſe for the ſchools. § 13.

Tenant L. in poſſeſſion may by deed exchange for a demeſne for maſter of free-ſchool. 15 & 16 G. 3. c. 17. § 1. p. 752.

Endowment for demeſne, tho' poſſeſſed of above 10 and under 20 acres, ſo as not above 40 in all. § 2.

Tenant T. in poſſeſſion may exchange by deed for free-ſchool demeſne. 13 & 14 G. 3. c. 27. § 1. p. 482.

Maſters may exchange with body corporate for lands convenient of equal value. § 2.

Shall

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Shall receive 3-4ths only of expence of improvements, unleſs compleated and fit for reſidence as by approved memorials. § 6.

Maſters included in 11 & 12 G. 3. c. 17. and have certificate for 2 years income (fines not included) if improvements made as by 1 G. 2. c. 15. and on new ſites, approved by primate under ſeal, and compleated. § 7.

Seamen.

5 G. 2. c. 13. continued to 24 June 1782, &c. 13 & 14 G. 3. c. 41. § 11. to 24 June 1783, &c. 15 & 16 G. 3. c. 32. § 1. 818.

Sheriffs.

3 G. 2. c. 9. § 7. continued to 24 June 1772, &c. 11 G. 3. c. 2. § 1. p. 26.

Ships.

11 of committee to execute 3 G. 3. c. 15. ſufficient as to haven-maſters, pilots and lighters, and orders for money; 5 for ordinary buſineſs. 11 & 12 G. 3. c. 19. § 12. p. 258.

Shipwrights. Vid. *Taylors.*

Affected by every clauſe as to journeymen taylors of *Dublin*, ſave work hours from 6 to 6, and wages not under 2*s.* nor above 2*s.* 6*d. per* day. 11 & 12 G. 3. c. 33. § 15, 16. p. 329.

Leaving work 10*l.* unleſs ſickneſs, &c. § 17.

Silks, &c.

Of *Perſia*, &c. 1*s.* 6*d. per* yard. 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1. § 2. —and 15 & 16 G. 3. c. 8. § 2. p. 681.

Loan duty, except of *G. Britain* and the *Eaſt* 4*l. per* £. 9 G. 3. c. 2. § 7.—11 & 12 G. 3. c. 2. —13 & 14 G. 3. c. 2.—15 & 16 G. 3. c. 1. § 3. p. 649.

Soap.

Loan duty 5*s. per* ton ſoap-waſte. 9 G. 3. c. 2. § 7. 20*s. per* ton by 11 & 12 G. 3. c. 2.—13 & 14 G. 3. c. 2.—15 & 16 G. 3. c. 1. §. 3. p. 649.

Soldiers.

25 G. 2. c. 12. againſt inliſting in foreign ſervice, continued to 24 June 1781, &c. 13 & 14 G. 3. c. 41. § 7. p. 611.

Spirits.

Imported (except of ſugar colonies) 6*d. per* gallon. 13 & 14 G. 3. c. 1. § 4. p. 335.

Licence to retail in towns not under 3*l.* yearly, nor above 5*l.* 15 & 16 G. 3. c. 15. § 16. p. 736. Vid. *Diſtillers.*

Spirits ſeiſed and condemned as illegally imported, ſold by inch of candle; to the king equal to duties;

ties; remainder to informer. § 17.
When bere and barley not above 9*d.* *per* ſtone, as by 29 G. 2. c. 9. ſpirits and ſtrong waters diſtilled here may be exported, a drawback of all inland exciſe. § 22.
Found on board, in port, or 3 leagues, tho' no attempt to run, the ſhip, &c. forfeited. 15 & 16 G. 3. c. 15. § 7. p. 731.

Spirits, Strong Waters.

Perfect, &c. 8*d.* *per* gallon: if above ſingle, charged in proportion. 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1. § 2.—15 & 16 G. 3. c. 8. § 2. p. 681.
Loan duty 2*d.* *per* gallon. 9 G. 3. c. 2. § 7.—11 & 12, & 13 & 14 G. 3. c. 2.—15 & 16 G. 3. c. 1. § 3. p. 650.
The 53d rule annexed 14 & 15 C. 2. c. 9. and every clauſe, whereby rum and ſpirits as manufacture of the plantations exempted from half duty, repealed as to all ſuch imported. 11 & 12 G. 3 c. 6. p. 101.
No drawback on ſpirits or ſtrong waters, unleſs exported in 50 gallon caſks and ſhip of 100 tons; forfeited, and 20*l.* each caſk. 11 & 12 G. 3. c. 7. p. 103.
Further additional 6*d.* *per* gallon on ſpirits imported, except of ſugar colonies. 15 & 16 G. 3. c. 8. § 4, & 5. p. 682.
Diſtilled for ſale 4*d.* *per* gallon. Rum or ſpirits of colonies, 4*d.* 15 & 16 G. 3. c. 8. § 5. p. 683.
Name and reſidence of conſignee expreſſed in permit; delivered at no other place; or forfeited. 13 & 14 G. 3. c. 8. § 11. p. 388.
Stills licenced and regiſtered; except of 12 gallons or under for medicinal, or experiments. § 12, 13.
Licences to retail in *Dublin* or 4 miles for not leſs than 3*l.* yearly nor above 10*l.* § 14.
Magiſtrates ſelling ſtrong waters in cities, &c. ſhall not grant certificates for a licence; taking reward, or ſuffering it. 50*l.* § 16.

Stamps.

From 25 March 1774 to 25 Dec. 1775 duties paid for writings on vellum, &c. 13 & 14 G. 3. c. 6. p. 366.
To 25 Dec. 1777. 15 & 16 G. 3. c. 9. p. 690.

T.

Taylors.

Permitting clubs and ſocieties in city and county of *Dublin*, on 2 witneſſes before 2 juſtices 20*l.* to informer and *Blue Coat-Hoſpital*, or impriſoned 3 months. 11 & 12 G. 3. c. 33. § 1. p. 323.
Contracts to advance wages or leſſen work hours, and oaths inforcing, illegal; on proſecution in 3 months 10*l.* § 2.
Work hours from 6 to 8. Wages not under 1*s.* & 4*d.* nor above

1s. & 8d. *per* day; 2s. 6d. for 3 weeks on mourning. § 3. Hired journeymen paid for full time agreed. § 4. Warrant by 2 juſtices for payment. § 5.

Wages altered at ſeſſions; publiſhed in 7 days; non obſervance 100*l.* or 6 months impriſoned; proſecution in 30 days. § 6.

Overwork 2d. *per* hour, 3d. on mourning. § 7.

Leaving ſervice or work, or refuſing unleſs cauſe allowed, 10*l.* or three months committed. § 8.

Giving greater wages, 100*l.* in 3 months; taking, 10*l*; ſecurities void; overwork excepted. § 9, 10.

Appeal to ſeſſions, 7 days notice. § 11. No other puniſhment. § 12.

Refuſing teſtimony, committed; not to criminate himſelf. § 13.

Laws againſt combinations not invalidated. § 14.

Tea.

6d. *per lb.* on green, 4d. bohea and others in lieu of all duties. 9 G. 3. c. 2. § 8. p. 14.

10000*l.* to linen manufacture; 7300*l.* to hereditary revenue. Surplus to the loans. § 23.

And by 11 & 12 G. 3. c. 2.—13 & 14 G. 3. c. 2.—15 & 16 G. 3. c. 1. p. 647.

1d. *per lb.* weight every *Britiſh* 6d. paid above 4s. at company's ſales. 13 & 14 G. 3. c. 1. § 4.—15 & 16 G. 3. c. 1. § 5. p. 652.

In any package (except from *Great Britain*) in port, or 3 leagues, the ſhip, &c. forfeited. 15 & 16 G 3. c. 15. § 7. p. 731.

Tenants.

On eviction by ejectment on ſtatutes for non payment of rent demand after aſcertaining the rent as by 4 G. 1. c. 5. § 3. not neceſſary. 15 & 16 G. 3. c. 27. p. 809.

Where 1 year due, and right to re-enter, leſſor may bring ejectment for great or ſmall tithes or eccleſiaſtical dues, as on leaſe of lands. § 3.

Where tenants abſcond, affixing copy on the principal houſe, or conſpicuous place, or if for tithes or dues on church door, &c. ſufficient ſervice of ſummons and notice without order. § 4.

Upon affidavit; and 1 month before further proceeding. § 5.

Tithes.

7 G. 3. c. 21. continued to 24 *June* 1772, &c. 11 G. 3. c. 1. § 9. Perpetual by 11 & 12 G. 3. c. 19. § 9. p. 257.

1 G. 2. c. 12. perpetual. 13 & 14 G. 3. c. 41. § 10. p. 612.

Where 1 year due, and right to re-enter, ejectment as on leaſe of lands. 15 & 16 G. 3. c. 27. § 3. p. 810.

Tenant obſconding, affixing copy on church door, &c. ſufficient without order. § 4. On affidavit; and 1 month before proceeding. § 5.

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Tobacco.

3½*d. per lb.* 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1. § 2.—15 & 16 G. 3. c. 8. § 2. p. 681.

No drawback on export, unleſs in 500*lb.* packages in ſhip 100 tons; or forfeited, and 20*l.* each package. 11 & 12 G. 3. c. 7. p. 103.

So if mixed with matter to increaſe drawback; or on falſe entry as tobacco. § 2.

Package under 500*lb.* in port, or 3 leagues, the ſhip, &c. forfeited. 15 & 16 G. 3. c. 15. § 7. p. 731.

Stalks or ſtems imported forfeited, or value. § 26. Seiſed if on board, in harbour, or 3 leagues, tho' bulk not broke or attempt to run: except ſtripped from tobacco legally imported, full duties paid, and ſent coaſtways by cocket. § 27.

Deſtroyed if not ſold for full duties: 1*d. per lb.* reward. § 28.

Towelling.

Additional duty (except from *G. Britain*) 11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1. § 2.—15 & 16 G. 3. c. 8. § 2. p. 681.

Treacle.

20*s. per* 100*l.* 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3 c. 1.——15 & 16 G. 3. c. 8. § 2. p. 681.

Treaſurers.

33 G. 2. c. 13. repealed. Shall lay accounts before grand jury every aſſizes, as debtor and creditor; debit with laſt balance, arrears and preſentments, ſpecifying the purpoſes, on each barony and the county, with fines due, and ſums received; ſtate balance; verify by affidavit; lodged with crown clerk; a copy booked, and groſs amount of queries. G. juries may examine on oath, and enter obſervations. 13 & 14 G. 3. c. 18. § 1. p. 416.

Office where laſt aſſizes open 8 days after from 9 'till 3. On omiſſion, delaying payment, demanding or accepting reward, deducting, neglecting account or affidavit, falſe entry, &c. or miſbehaviour, fined 20*l.* and diſmiſſed. § 2.

On vacancy 7 juſtices of 100*l.* freehold ſhall elect between 12 and 4 the 1ſt of next ſeſſions or aſſizes after 14 days; if within 14, &c. on 2d *Monday* next month; ſenior preſident not to vote but on equality. § 3.

No candidate to vote. Oath previous. § 4.

Recognizance immediately in court; and 2 ſureties in half the ſum, and affidavit of being worth above debts and tenancy for life. Delivered to the clerk. § 5.

Exiſtence and property of ſureties examined on oath every aſſizes. Others may be required. § 7.

No treaſurer a clerk, juſtice, or G. juror. Recognizances depoſited in exchequer in 3 months. § 8.

On removal G. jury, or a knight of the ſhire, ſhall appoint 'till election,

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election, for receiving balance, papers, &c. and money; handed to new treaſurer. § 10.

Accounts evidence againſt treaſurer and ſureties. § 11.

Preſentments for treaſurers at aſſiſes. § 12.

Clerk of peace to attend electing; 10*l.* penalty. § 13.

Crown clerk each aſſiſes ſhall enter copy of account, and give treaſurer copy of queries diſcharged immediately, and of preſentments in 4 days; penalty 5*l.* § 14.

Fines paid to treaſurer, not otherwiſe diſpoſed. Expences of entering recognizances preſented. § 15.

Copies of preſentments given to overſeer in 10 days after demand. Account on oath every aſſiſes. Laid before G. jury; no compoſition or deduction; office open 14 days after aſſiſes (*Sundays* excepted) from 9 'till 3; diſcharged queries paid. 13 & 14 G. 3. c. 32. § 25. p. 507.

Trees.

Repeal of 10 W. 3. c. 12; 4 *Anne*, c. 9; 9 *Anne* c. 5; 8 G. 1. c. 8; and ſo much of 5 G. 2. c. 9, as relates to planting timber. 15 & 16 G. 3. c. 26. p. 806.

Spoiling or deſtroying timber or fruit trees, young trees or ſhoots, poſſeſſing any wood, underwood, &c. without ſatisfactory account, fixing green branches in churches, (except holly, &c.) on 1 witneſs penalty not above 5*l.* with charges, or committed not above 6 months. § 2.

Trees deemed timber. § 3.

Deſtroying or taking ſhrub, plant, or root, uſing or poſſeſſing gads or withs, timber, ſcollops for thatching, putting up May buſh, or ſuffering to remain 3 hours, keeping bark or rind, (not tanner, or dyer, or lawfully poſſeſſed) penalty not above 40*s.* or committed not above 3 months. § 4.

Peace clerk, not ſeparately filing or entering certificate of planting, as by 6 G. 3. c. 17. 5*l.* by civil bill. § 5.

Juſtices to inforce, and adminiſter oath; penalties unapplied to informer and poor. Suſpected places ſearched on warrant. Brought before a juſtice if trees, &c. found. Not proving fairly bought or given, convicted. § 6.

Turnpikes. Vid. *Highways.*

Copies of contracts and orders depoſited with clerks of peace in 1 month; and 1ſt *October* yearly the full annual produce of toll and expences. 13 & 14 G. 3. c. 26. p. 476.

Penalty 20*l. per* month by civil bill; where no treaſurer, or inſolvent, performed by receivers from gatekeepers, crown clerk on depoſit 20*s.* ſhall permit ſuit, and inforce; 40*s.* for coſts; 10th to proſecutor, 10th to crown clerk, and of peace; remainder to infirmary. Writings preſerved; inſpection

inſpection at aſſiſes and ſeſſions. § 2.
No payment or order 'till affidavit before 2 juſtices by perſons principally employed. § 3. Penalty equal to the ſum. § 4.
Executors, &c. bound to perform. § 5.
On embezzlement or breach affidavit as in a cauſe, ſtating charges, no malice or ill will, not to favour defendant, relator worth 200*l.* or ready to ſecure coſts. Order to anſwer in chancery or exchequer; ſummary proceedings as in poſſeſſary cauſes. Security by relator at any ſtage. If colluſion with defendant carried on by any other in relator's name on ſecurity, 1-4th to relator and coſts. § 6.
Complaint in 4 years after embezzlement; commenced in party's life. § 7.
Clerk's preſentment ſummer aſſizes, if duties performed, traverſable. §. 8.
Yearly account lodged by treaſurer or receiver; penalty 20*l.* *per* month; double on wilful overcharge or error. § 9.

V.

Velvet.

Loan Duty 4*l.* *per lb.* 9 G. 3. c. 2. § 7.—11 & 12 G. 3. c. 2.—13 & 14 G. 3. c. 2.—15 & 16 G. 3. c. 1 § 3. p. 649.

Vermin.

17 G. 2. c. 10. amended and continued by 1 G. 3. c. 17. further to 24 June 1772, &c. 11 G. 3. c. 2. § 2. continued with amendments 2 years, &c. from 24 June 1772. 11 & 12 G. 3. c. 19. § 4. p. 255.
And 10 years, &c. from 24 June 1774. 13 & 14 G. 3. c. 42. § 1. p. 613.

Vinegar.

30*s.* *per* tun. 9 G. 3. c. 2. § 7.—3*l.* *per* tun. 11 & 12 G. 3. c. 2. § 7.—13 & 14 G. 3. c. 2.—15 & 16 G. 3. c. 1. § 3. p. 649.

W.

Watch.

In cities and towns corporate a veſtry on 1ſt June annually, 6 days notice for chuſing ſubſtantial pariſhioners directors, and watchmen, and ſettle the ſums, 11 & 12 G. 3. c. 14. § 1, 3. p. 199.
Levied on houſe occupiers by miniſter's money, or 3 pariſhioners on oath. § 4.
Account on oath returned before end of the year; examined at veſtry; penalty on church-wardens. 20*l.* § 5.
Regulations at veſtry acting contrary 10*s.* § 6.
10 G. 1. c. 3. continued 2 years, &c. 11 & 12 G. 3. c. 19. § 2. and

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to 24 June 1776, &c. by 13 & 14 G. 3. c. 41. § 5. p. 611.

Aſſeſſment 11 & 12 G. 3. c. 14. by miniſter's money repealed. Aſſeſſed by value of houſes. 13 & 14 G. 3. c. 24. § 5. p. 473.

Weights.

25 G. 2. c. 15. continued to 24 June 1781, &c. 13 & 14 G. 3. c. 41. § 7. p. 611.

25 G. 2. c. 15. & 31 G. 2. c. 9. as to private and clandeſtine weighing, revived and continued 11 years from 25 March 1774, &c. 13 & 14 G. 3. c. 42. § 2. p. 614.

25 G. 2. c. 15. continued to 24 June 1783, &c. 15 & 16 G. 3. c. 32. § 2. p. 819.

Wicklow.

Preſentment not above 400*l.* 100*l.* yearly, to purchaſe ground or houſes adjoining to enlarge court houſe. 13 & 14 G. 3. c. 18. § 16. p. 425.

Wine.

4*l. per* tun, 9 G. 3. c. 1.—11 & 12 G. 3. c. 1.—13 & 14 G. 3. c. 1. § 2.—15 & 16 G. 3. c. 8. § 2. p. 682.

Loan Duty on *French* and *Spaniſh* 6*l. per* tun. *Port.* 3*l.* others 5*l.* 9 G. 3. c. 2. § 7.—11 & 12 G. 3. c. 2. § 7.—13 & 14 G. 3. c. 2. § 2.—15 & 16 G. 3. c. 1. § 3. p. 649.

Further additional to 25 Dec. 1775. *French* 4*l.* 13*s.* 4*d. per* tun. *Port* 6*l. Rheniſh* and others 4*l.* 11*s.* 13 & 14 G. 3. c. 1. § 4.—15 & 16 G. 3. c. 8. § 4. p. 682.

Not imported in caſks under 31 gallons. 13 & 14 G. 3. c. 38. p. 594. Continued 2 years. § 4.

Work-houſe.

19 G. 2. c. 21. and all acts in force as to *Dublin* work-houſe, the taxes and powers, continued to 24 June 1792, &c. 11 G. 3. c. 2. § 4. p. 28.

Repealed with the former acts. 11 & 12 G. 3. c. 11. § 1. p. 152.

A new corporation of governors created. § 2.

On vacancy reſident in *Dublin* or 3 miles elected at meeting. § 3.

May purchaſe 2000*l.* a year, or any perſonal eſtate. § 4.

Treaſurer's ſalary 150*l.*; ſecurity 2000*l.* § 5.

Clerk 20*l.* a year; firſt approved by 11. Regiſter 60*l.* a year; ſecurity 500*l.* 2 phyſicians, 80*l.* a year each. Officers and ſervants, at ſalary not above 500*l.* no maſter or miſtreſs ſo employed. § 6.

11 at general aſſembly to elect ſucceſſors, make orders, &c. § 7.

All property veſted in governors. § 8.

4 quarterly meetings, 15 or more aſſiſtants on Monday after 24 June yearly; 5 to act and execute orders by 11 governors; order general aſſembly; inſpect and regulate; bound by order of aſſembly. § 10.

Accounts for receipts and diſburſements on oath. § 12.

Vagabonds

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Vagabonds or beggars ſent to bridewell, &c. maintained and ſet to work in aid of the revenue. § 13.

Puniſhed on not conforming. § 14.

Seiſed by beadle, &c. brought before a governor or magiſtrate; committed to hard labour 'till next aſſembly; confined not above 3 years, or employed; beadle, &c. neglecting forfeits 20*s.* or ſubject as vagabond. § 15.

Children under 6 received; and if preſented, and room, and ſound, not above 8; inſtructed. § 16, 17.

Apprenticed to proteſtants not above 7 years. § 8.

Nurſes, attendants, diſorderly, &c. committed not above 14 days. § 19.

Carriages for hire, jobs, ſedans, &c. licenced. § 20.

Coaches, &c. not above 300; ſedans 400; fines on licence; not above 21 years; transferable or deviſeable with conſent. Rents reſerved quarterly. § 21, 22, 23.

Change of property regiſtered in a month, or 1 year's rent forfeited; and licence if not in 3. § 24.

Penalties if without licence. § 26, 27.

Obſtructing ſeizure or ſale, 5*l.* § 28. the civil power to aſſiſt. § 29.

Summoned on ſuſpicion; not appearing in 4 days, committed till payment & 40*s.* § 30. Porters puniſhed as vagabonds. § 31. Numbered § 32.

Number affixed; conſpicuous in carriages for publick uſe; and name and abode. § 32.

Not keeping in a month and during licence, 5*l.* § 34.

None ſhall have above 2 licenſed. § 36.

Arrear 21 days levied by diſtreſs and ſale; impriſonment if 31; licence forfeited if 41; 1-4th more paid and arrears before new licenee, which may be refuſed. § 37, 38.

Fines or rents may be increaſed, not above 1-4th. §. 39.

Rates of hire increaſed, not to exceed 1-4th more; the city for that purpoſe only divided into wards. § 41.

Fares by day or hour. § 42.

Regulations by governors firſt approved by lord chancellor and chief judges. § 43.

Cars conſidered as *Ring's-End*, § 44.

Exacting more, or leaving fare, 20*s.* or not above 40*s.* Driver, &c. 10*s.* or whipped. § 44.

11 Governors may make orders with penalties not above 40*s.*; approved, and poſted; ſuſpend licence; commit not above 10 days, or whipped; aſſiſtants may correct, where not pointed out. § 45.

Refuſing payment, breaking or defacing, ſatisfaction awarded, § 46

6*d. per £.* of yearly rent of houſes as valued for miniſter's money; or as payable by tenants in poſſeſſion; or if ground rent as to ſolvent tenant; charged on inhabitants; payable 24 June. § 50.

Tenants to produce leaſes, or valued by 4; ſo if ground rent; returned with affidavit. Additional 6*d. per £.* where beer, ſpirits, &c. retailed. No levy by veſtry for foundlings. § 51.

Within

Ex H.W.C

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Within 2 miles of the caſtle at 2240 yards, valued as where no return for miniſter's money, and charged. § 52.

Houſes excepted. § 53. Collectors at 6*d.* *per* £. to levy by diſtreſs and ſale; give ſecurity. § 54. Not above 3 years arrear. § 55.

Proving miniſter's money paid 3 years, before ſuit, evidence. § 56.

Taxes veſted in governors for uſes of this act; 11, or 5 aſſiſtants chuſe or remove maſters or miſtreſſes, with allowance; 21 may by demiſe, or mortgage, raiſe not above 4000*l.*; applied to debts. § 57.

When expences exceed duties, no child received. § 58.

Owners, drivers, &c. ſummoned and examined on oath; not appearing 5*l.* miſbehaving 40*s.* or committed 3 months. § 60.

No governor to ſupply materials. § 67.

No child of 3 years and upwards received, or ſent to nurſe. 13 & 14 G. 3. c. 17. § 1. p. 414.

From 24 June 1774, to 1776, houſes in *Dublin*, or liberties of, 10*l.* yearly as rated, ſhall pay 4*d.* *per* £. over; 400*l.* a year to treaſury; ſurplus to work-houſe. § 2.

No licence for carriages with materials for building or paving not for ſale or hire. § 5.

County-preſentment. 13 & 14 G. 3. c. 32. § 15. p. 521.

Governors at quarterly or general aſſemblies, purſuant to 11 & 12 G. 3. c. 11. § 10. may make rules and orders. 15 & 16 G. 3. c. 25. p. 802.

Not bye-laws unleſs confirmed, 21 ſigning at quarterly meeting, propoſed 14 days before at general meeting, and notice in the ſummons. So on repealing, altering or ſuſpending. § 2.

No profit to governors under the corporation. § 3.

No child appearing above 1 year old received or ſent to nurſe. § 4.

11 governors or 5 aſſiſtants may reduce fines, ſo as not under 20*s.* § 5.

Quarterly meetings 2d February, 1ſt May, Auguſt, November; aſſiſtants elected 1ſt of May. § 6.

No order of aſſiſtants valid, unleſs 5 preſent ſign the book the ſame day. § 7.

'Till a valuation for miniſter's money houſes charged with 6*d.* *per* £. and other taxes by pariſh or county ceſs. § 8.

Wreck.

Notice in 3 days to a juſtice or next revenue officer of having any part, tackle, cargo, &c. of ſhip in diſtreſs, ſtranded, or wrecked; and where depoſited: or on indictment impriſoned 6 months. 15 & 16 G. 3. c. 33. p. 820.

Delivered unembezzled in 48 hours after demand; or deemed ſtolen; felony on conviction; not neceſſary to aver or prove property in any. § 2.

Read in markets in 5 miles of the ſea before Michaelmas; penalty 5*l.* by civil bill. § 3.

FINIS.